Superfund Records Center SITE: New Bedford
BREAK: 7.8

OTHER: 509 439

509439

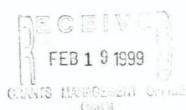
- 6			
1 - "			Page 1 of 4
	United States Environmental Protection Agency Washington DC 20460	1. EPA / IAG Identification Number DW96940189-01-0	4. Funding Location by Region
EDA	Interagency Agreement /	2. Other Agency ID Number	01
EPA	Amendment		5. Program Office
		3. Type of Action	Abbreviation
	Part i - General Information	NEW PROJECT	OSRR
U.S. ENVIR CONTRACT 1 CONGRE	ONMENTAL PROTECTION AGENCY ONMENTAL PROTECTION AGENCY ONMENTAL PROTECTION, HBS OSS STREET, SUITE 1100  MA 02114-2023	7. Name and Address of Other Agency U.S. ARMY CORPS OF ENGINEERS HTRW-CX 12565 WEST CENTER ROAD OMAHA, NE 68144-3869	
L Project Title Bedford Harbo	Remedial Action for the clean-up of the Up or Superfund Site, New Bedford, MA - MADS		
MICHAEL N	cer (Name, Address, Telephone Number) MCGAGH, PROJECT OFFICER	MARVENE SEAMAN, PROGRAM MAN	AGER

1 CONGRESS STREET, SUITE 1100, HBS 12565 WEST CENTER ROAD BOSTON, MA 02114-2023 OMAHA, NE 68144-3869 (617) 918-1428 (402) 697-2425 11. Project Period 12. Budget Period 02/01/99 to 01/31/02 02/01/99 to 01/31/02

13. Scope of Work (Attach additional sheets, as needed)

Please see attached scope of work.

Direct Fund Cite: " 3,200,000
Revises Remburville: # 100,000



(See continuation page)	sfer of Funds a	ind Pr	oject Activ	ities				FEDE AGEN	
FUNDS	PRE	VIOUS	THUOMA		AMOUNT THIS	ACTION		AMENDED	TOTAL
18. EPA Amount			0		3,300,0	000			
17. EPA in-Kind Amount	0				0				
18. Other Agency Amount	0					0			
19, Other Agency In-Kind Amount	0				0				
20. Total Project Cost			0		3,300,000				
21. Fiscal Information								4714	
Site Name	DCN RUP004	FY 99	Approp.	Budget Org. 1A00R	Program Elen 50102D		Site/Project 0143RA01	Cost Org. C003	3,300,000

# 14. STATUTORY AUTHORITY (continued)

- 1. ECONOMY ACT OF 1932 AS AMENDED
- 2. (31 USC 1535) CERCLA, E.O. 12316

### 21. FISCAL (continued)

Site Name	DCN	FY	Арргор.	Budget Organization	Program Element	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	,								
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	,								
			i						
			·						
								·	
·			·			i			

Part II - Appro	ved Budget		EPA IAG Identification Number DW96940189-01-0
		Itemization of	Itemization of Total Project
22. Budget Categories		This Action	Estimated Cost to Date
(a) Personnel		100,000	100,000
b) Fringe Benefits	· · · · · · · · · · · · · · · · · · ·	0	0
(c) Travel		0	0
d) Equipment	<del></del>	0	0
(e) Supplies		0	0
(f) Procurement / Assistance	<u> </u>	3,200,000	3,200,000
(g) Construction		.0	0
(h) Other		0	0
(i) Total Direct Charges		3,300,000	3,300,000
(f) ladirect Costs: Rate 0.00 % Base \$	<del></del>	0	0
(k) Total:		0.000.000	0.000.000
(EPA Share: <u>100,00</u> %) (Other Agency Share <u>0,00</u> %)		3,300,000	3,300,000
23. is Equipment authorized to be furnished by EPA or leas (identity all equipment costing \$1000 or more.)			Yes X No
24. Are any of these funds being used on extramural agree	ements? (See Item 221.)	Yes No	
Type of extramural agreement Grant Cooperat	ive Agreement	X Procurement (i	ncludes Small Purchase Order)
*Contractor / Recipient Name (if known) Total	i Extramural Amount under t	his Project	Percent Funded by EPA (if known)
,	3,200,000	•	100.00
	0,200,000		100.00
·			
· ·			
Doublit Front	les a Maria de les de Brito		
	ing Methods and Bill	ing Instructions	S
	y Location Code (ALC)	- 68010727)	
X Disbursement Agreement			
Repayment Request for repayment of Office, Cincinnati, OH 45	of actual costs must be itemi 268:	zed on SF-1080 and	submitted to the Financial Management
X Monthly	Quarterly	Upon Completion	of Work
Advance this type of payment met reports will be forwarded  Used to transfer obligationa approval by the Office of the	thod. Unexpended funds at i to the Financial Manageme I authority or transfer of fun- e Comptroller, Budget Division to the Financial Reports an	completion of work int Center, EPA, Cir ction between Fede on, Budget Formula	ith appropriate justification of need for will be returned to EPA. Quarterly cost ncinnati, OH 45268. rai agencies. Must receive prior tion and Control Branch, EPA Hdqtrs. , Financial Management Division, PM-
26. Funds-In Agreement			
Reimbursement Agreement Advance			
Allocation Transfer-in			
Other Agency's IAG Identification Number		EPA Program Offi	ce Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Sy	rmbol Number)	Other Agency's B	illing Instruction and Frequency

EPA Form 1610-1 (Rev. 10-88)

Part IV - Acceptance Conditions

EPA IAG Identification Number DW96940189-01-0

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28, Special Conditions

NOTE:

### Part V - Offer and Acceptance

- For Funde-Out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquerters, agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by the EPA. The agreement/emendment must be forwarded to the address cited in from 29 after acceptance signature, Receipt of a written refusal or fallure to return the properly executed document within the prescribed time may result in the withdrawal of the offer by EPA. Any change to the agreement by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially siter the agreement/amendment, shall void the agreement/emendment.
- For Funds-in actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAQ Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization / Address 30. Organization / Address US ENVIRONMENTAL PROTECTION AGENCY U.S. ENVIRONMENTAL PROTECTION AGENCY GRANTS MANAGEMENT OFFICE, MGM CONTRACTS MANAGEMENT SECTION, HBS 1 CONGRESS ST. #1100 1 CONGRESS STREET, SUITE 1100 BOSTON, MA 02114-2023 BOSTON, MA 02114-2023 Certification

All eigners certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environmental Protection Agency Program Office yped Name and Title 31, \$Ignature PATRICIA L. MEANEY, DIRECTOR When I wales for OFFICE OF SITE REMEDIATION & RESTORATION

Action Official on Behalf of the Environmental Protection Agency

Date lyped Name and Title STEPHEN S. PERKINS, DIRECTOR OFFICE OF ADMIN. & RESOURCES MANAGEMENT

Authorizing Official on Behalf of Other Agency

Typed Name and Yitle 13, Signature WILLIAM C. SCULLY, CHIEF PROGRAMS/PROJECT MGMT DIVISION

2/17/99

32. Signature



# Scope of Work for Remedial Action for the Cleanup of Upper and Lower New Bedford Harbor

### January 1999

#### A. Introduction

The USEPA in a September 1998 Record of Decision (ROD) selected a cleanup plan for the upper and lower harbor areas of New Bedford Harbor which involves the removal of approximately 450,000 cy of PCB-contaminated sediment, containment of those sediments in four shoreline confined disposal facilities (CDFs), treatment of water decanted from those sediments, and interim and final capping of the CDFs once full. Section X of the ROD provides a more complete discussion of the selected remedy. Pursuant to this IAG, the US Army Corps of Engineers (the Corps) will perform, either by themselves or through contractors, construction related activities to accomplish this remedy. Importantly, this includes work to be performed by the Commonwealth Electric Company (and overseen by the Corps) to relocate existing high voltage power cables in order to allow the selected remedy to proceed. This COM/Electric remedial action activity is scheduled to take place beginning in early 1999; thus this remedial action IAG is required at this time. The overall goal of this IAG is to implement the selected remedy as cost-effectively and in as timely a manner as possible.

### B. Tasks

The following is a preliminary list of activities to be covered by this IAG. Additional tasks may be required pending completion of remedial design.

- 1. Construction related to COM/Electric's relocation of the existing submerged power lines.
- 2. Purchase of real estate interests (either easement fees or outright purchase) required for implementation of the remedy.
- 3. Relocation of combined sewer overflow and other utilities that interfere with construction of the four proposed CDFs.
  - 4. Construction of the four CDFs
  - 5. Implementation of the remedial dredging and excavation program
  - 6. Treatment of the decanted water from the CDFs
- 7. Performance of associated operational sampling of sediments, water column, air, groundwater and CDF effluent

- 8. Restoration of excavated wetlands
- 9. Construction of interim and final caps at each CDF

The specific design details of each of these major tasks will be established in various remedial design documents as the project progresses through the design phase. The remedial activities funded by this IAG shall be entirely consistent with these remedial design plans, or the activities will NOT be funded pursuant to this IAG.

#### C. <u>Estimated Cost</u>

Based on revised cost estimates developed to date, the current estimated <u>present</u> <u>worth</u> cost to implement the remedial action is approximately \$125 million.

This IAG will be funded in increments rather than in total in order to maximize the balance of funds remaining in the site's interest-earning "special account."

#### D. Reporting

The Corps shall submit monthly progress reports clearly summarizing monthly costs and total costs charged to this IAG. Costs should be further summarized as to in-house versus contracted costs, with the contractor(s) and Corps personnel identified.

Further, since this IAG will be funded sequentially rather than in total, the monthly reports shall include forecasted funding requirements for the two quarters in advance of the reporting period.

#### E. Coordination with EPA and Site Stakeholders

All work performed pursuant to this IAG will be closely coordinated with EPA, and EPA will retain overall authority for ensuring that the remedial actions are performed consistent with the September 1998 Record of Decision. In addition, the Corps shall participate with EPA's outreach efforts as directed by EPA.

#### F. Point of Contact

The technical point of contact for this IAG shall be David J. Dickerson, unless notified otherwise.

**United States Environments** fotection Agency 1. EPA / IAG Identification 4. Funding Location Washington DC 20460 by Region DW96940189-01-1 2. Other Agency ID Number Interagency Agreement / FΡΔ 5. Program Office Amendment Abbreviation 3. Type of Action Part I - General Information **INCREASE AUGMENT OSRR** 6. Name and Address of EPA Organization 7. Name and Address of Other Agency U.S. ENVIRONMENTAL PROTECTION AGENCY U.S. ARMY CORPS OF ENGINEERS CONTRACTS MANAGEMENT SECTION, HBS HTRW-CX 1 CONGRESS STREET, SUITE 1100 12565 WEST CENTER ROAD BOSTON, MA 02114-2023 OMAHA, NE 68144-3869 Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Harbor Superfund Site, New Bedford, MA - MAD980731335. 9. EPA Project Officer (Name, Address, Telephone Number) 10. Other Agency Project Officer (Name, Address, Telephone Number) MICHAEL MCGAGH, PROJECT OFFICER MARVENE SEAMAN, PROGRAM MANAGER US EPA CONTRACTS MGMT. SECTION U.S. ARMY CORPS OF ENGINEERS, HTRW-CX 1 CONGRESS STREET, SUITE 1100, HBS 12565 WEST CENTER ROAD BOSTON, MA 02114-2023 OMAHA, NE 68144-3869 (617) 918-1428 (402) 697-2425

12. Budget Period

02/01/99 to 01/31/02

t3. Scope of Work (Attach additional sheets, as needed)

11. Project Period

02/01/99 to 01/31/02

DIRECT FUND CITE: \$3,200,000 - \$1,415,000 = \$4,615,000 REVISED REIMBURSABLE: \$ 100,000 - \$2,000,000 = \$2,100,000



14. Statutory Authority for Both Transfer of Funds and Project Activities 15. Other Agency Type (See continuation page) **FEDERAL AGENCY** PREVIOUS AMOUNT **FUNDS** AMOUNT THIS ACTION AMENDED TOTAL 3,300,000 3,415,000 6,715,000 16. EPA Amount 17. EPA In-Kind Amount 0 0 18. Other Agency Amount 0 0 0 0 0 19. Other Agency In-Kind Amount 3,300,000 6,715,000 20. Total Project Cost 3,415,000 21. Fiscal Information Site Name DCN FY Approp. Budget Org. Program Elem. Object Site/Project Cost Org. Obligation 3,415,000 0143RA01 C003 50102D 2507 RUP001 00 TR2 1A00R

14

**FATUTORY AUTHORITY (continued)** 

ECONOMY ACT OF 1932 AS AMENDED (31 USC 1535) CERCLA, E.O. 12316

# 21. FISCAL (continued)

Site Name DCN FY Approp. Budget Prog Organization Elec	gram Object Site/Project Cost Obligation Deobligation
	`

Part II - Approved Budget	EPA IAG Identification Number DW96940189-01-1		
22. Budget Categories	itemization of This Action	Itemization of Total Project Estimated Cost to Date	
(a) Personnel	2,000,000	2,100,000	
(b) Fringe Benefits	0	0	
(c) Travel	0	0	
(d) Equipment	0	0	
(e) Supplies	0	. 0	
(f) Procurement / Assistance	1,415,000	4,615,000	
(g) Construction	0	0	
(h) Other	0	0	
(i) Total Direct Charges	3,415,000	6,715,000	
(j) Indirect Costs: Rate 0.00 % Base \$	0	0	
(k) Total:			
(EPA Share: 100.00%) (Other Agency Share 0.00%)	3,415,000	6,715,000	
23. Is Equipment authorized to be furnished by EPA or leased, purchased, or rented (Identify all equipment costing \$1000 or more.)	with EPA funds?	Yes X No	
24. Are any of these funds being used on extramural agreements? (See Item 221.)	X Yes No		
Type of extramural agreement Grant Cooperative Agreement	X Procurement (inclu	des Small Purchase Order)	
Contractor / Recipient Name (if known) Total Extramural Amount und	ier this Project Perce	ent Funded by EPA (if known)	
4,615,000		100.00	
Part III - Funding Methods and E	Billing Instructions		
25.  X Funds-Out Agreement (Note: EPA Agency Location Code (AL			
X Disbursement Agreement			
Repayment Request for repayment of actual costs must be ite Office, Cincinnati, OH 45268:	emized on SF-1080 and sub	mitted to the Financial Management	
X Monthly Quarterly	Upon Completion of W	ork	
Only available for use by Federal agencies on wo this type of payment method. Unexpended funds	at completion of work will t	pe returned to EPA. Quarterly cost	
reports will be forwarded to the Financial Manage Used to transfer obligational authority or transfer of the	function between Federal a	gencies. Must receive prior	
Allocation Transfer-Out  Allocation Transfer-Out  Approval by the Office of the Comptroller, Budget Div Forward appropriate reports to the Financial Reports 226F, EPA, Washington, DC 20460.	and Analysis Branch, Fina	and Control Branch, EPA Hogtrs. Incial Management Division, PM-	
26. Funds-In Agreement			
☐ Funds-in Agreement			
Repayment  Reimbursement Agreement  Advance			
Reimbursement Agreement Advance			
Allocation Transfer-In			
Other Agency's IAG Identification Number	EPA Program Office Al	lowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing	Instruction and Frequency	
	·		

EPA Form 1610-1 (Rev. 10-88)

**EPA IAG Identification Number** DW96940189-01-1

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions

#### Part V - Offer and Acceptance

- NOTE: For Funds-Out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by the EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of the offer by EPA. Any change to the agreement by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.
  - For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
29. Organization / Address	30. Organization / Address
US ENVIRONMENTAL PROTECTION AGENCY	U.S. ENVIRONMENTAL PROTECTION AGENCY
GRANTS MANAGEMENT OFFICE, MGM	CONTRACTS MANAGEMENT SECTION, HBS
1 CONGRESS ST. #1100	1 CONGRESS STREET, SUITE 1100
BOSTON, MA 02114-2023	BOSTON, MA 02114-2023

#### Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environmental Protection Agency Program Office 31. Signature Typed Name and Title Date PATRICIA L. MEANEY, DIRECTOR OFFICE OF SITE REMEDIATION & RESTORATION Action Official of Behalf of the Environmental Protection Agency 32. Signature Typed Name and Title Date STEPHEN S. PERKINS, DIRECTOR OFFICE OF ADMIN. & RESOURCE MANAGEMEN Authorizing Official on Behalf of Other Agency

33. Signature Typed Name and Title WILLIAM C. SCULLY, CHIEF PROGRAMS/PROJECT MGMT DIVISION Date 00



## **Interagency Agreement**

# Amendment Part 1 - General Information

1. EPA IAG identification Number DW-96-94018901 - 2 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

Region 1-OSRR

6. Name and Address of EPA Organization

US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 7. Name and Address of Other Agency

US Army Corp of Engineers - Omaha District

1265 W. Center Road, HTRW-CX

Omaha, NE 68144-3869

8. Project Title

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

9. EPA Project Officer (Name, Address, Telephone Number)

Mike Mcgagh 1 Congress Street, Suite 1100

Boston, MA 02114-2023 617-918-1428 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

1265 W. Center Road, HTRW-CX

Omaha, NE 68144-3869

402-697-2425

11. Project Period

02/01/1999 to 01/31/2002

12. Budget Period

02/01/1999 to 01/31/2002

13. Scope of Work

Direct Fund Cite: \$4,615,000+\$5,385,000 = \$10,000,000 Revised Reimbursable: \$2,100,000+\$ 500,000 = \$ 2,600,000

EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580

15. Other Agency Type Federal Agency

**Previous Amount** Amended Total Funds **Amount This Action** \$12,600,000 16. EPA Amount \$6,715,000 \$5,885,000 17. EPA In-Kind Amount \$0 18. Other Agency Amount \$0 19. Other Agency In-Kind Amt. \$0 20. Total Project Cost \$6,715,000 \$5,885,000 \$12,600,000

#### 21. FISCAL

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP002	00	.TR2	1A00R	50102D	25.07	0143RA01	C003	5885000
					·				

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

DECETVED

APR 1 0 2000

GRANTS MANAGEMENT UFFICE

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DW 86940189-01-2 EPA IAG Identification No. DW-96-94018901-2 Page 2 of 3

D-4 1	l - Approved Budget		EPA IAG Identification Number
Parti	i - Approved Budget		DW-96-94018901 - 2
22. Budget C	ategories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$500,000	\$2,600,000
(b) Fringe Benefits			\$0
(c) Travel			\$0
(d) Equipment			\$0
(e) Supplies			\$0
(f) Procurement / Assistance		\$5,385,000	\$10,000,000
(g) Construction			\$0
(h) Other		45.005.000	\$0
(i) Total Direct Charges	•	\$5,885,000 \$0	\$12,600,000
(j) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other	Agency Share 0.00 %)	\$5,885,000	\$0 \$12,600,000
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 or 24. Are any of these funds being used on each of the second statement of the second stat	r more)	d with EPA funds?  ⊠ Yes □ No	☐ Yes ⊠ No
<u></u>		eement  Procureme	nt
Contractor/Recipient Name (if known)	Total Extramural Amount Under	This Project	Percent Funded by EPA (if known)
Foster Wheeler	Т	10000000 otal. \$ 10,000,000.00	100
	Part III - Funding Methods and E	Billing Instruction	S
25.	(Note: EPA Agency Location Co	ode (ALC) - 68010	727)
Z Dispute in a green sin	Request for repayment of actual costs mus Office, Cincinnati, OH 45268: Monthly Quarterly	· <u>.</u>	080 and submitted to the Financial Management
☐ Advance	Only available for use by Federal agencies	on working capital funds	d or with appropriate justification of need for this k will be returned to EPA. Quarterly cost reports
Allocation Transfer-Out	Used to transfer obligational authority or approval by the Office of Comptroller, Bu	transfer of function t	petween Federal agencies. Must receive prior Formulation and Control Branch, EPA Hdqtrs. lysis Branch, Financial Management Division,
26.			
Reimbursement Agreement Repayment			
		4	
Advance	•		
Allocation Transfer-In			
Other Agency's IAG Identification Number		EPA Program Office	Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include AL EPA Form 1610-1 (Rev. 10-88). Previous editions are		Other Agency's Bill	ing Instructions and Frequency

DW 969 40189-01-2 EPA IAG Identification No.DW-96-94018901 - 2 Page 3 of 3

Part IV - Acceptance Conditions	E	EPA Identification Number
		DW-96-94018901 - 2
27. General Conditions		
The other agency covenants and agrees that it will expeditiously initiate and have been awarded under this agreement.	complete the project for which fur	nds
28. Special Conditions (Attach additional sheets if needed)		
	· .	
		·
		•
		• •
		·
Part V - Offer an Note: 1) For Disbursement actions, the agreement/amendment must be sig Grants Administration Division for Headquarters agreements or to the appropreceipt or within any extension of time as may be granted by EPA. The agre acceptance signature.  Receipt of a written refusal or failure to return the property executed document	ned by the other agency official in riate EPA Regional IAG administ ement/amendment must be forwa	tration office within 3 calendar weeks after arded to the address cited in item 29 after
change to the agreement/amendment by the other agency subsequent to the determines to materially alter the agreement/amendment, shall void the agreement	docurnent being signed by the Ef	
2) For Reimbursement actions, the other agency will initiate the action and for office for signature. The agreements/amendments will then be forwarded to the of the EPA. One original copy will be returned to the other agency after acceptant.	appropriate EPA IAG administration	
EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for techn	ical assistance)
29. Organization/Address	30. Organization/Address	
US EPA R1	US Environmental Protection	n Agency
Grants Management Office	Region 1-OSRR	,
1 Congress Street, Suite 1100	1 Congress Street, Suite 110	00
Boston, MA 02114-2023	Boston, MA 02114-2023	•
		·
Certifica	ation .	``
All signers certify that the statements made on this forr complete. Signers acknowledge that any knowingly fals fine or imprisonment or both under applicable law.		
Decision Official on Behalf of the Environr	nent Protection Agency Program	m Office
31/ Signature Typed Name and Title		
	of Site Remediation & Restoration	Date 3/16/QW
		17/16
Pat Meaney / Director; Office Action on Behalf of the Environment of t	onment Protection Agency	Date Date
Pat Meaney / Director; Office Action on Behalf of the Environg Action of the Environg Action on Behalf of the Environg Action of the	onment Protection Agency fice of Administration & Resource	Date Date
Pat Meaney / Director; Office Action on Behalf of the Environment of t	onment Protection Agency fice of Administration & Resource	Date Date



# Interagency Agreement

# Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 3 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

Region 1-OSRR

6. Name and Address of EPA Organization

US Environmental Protection Agency Contracts Management Section, HBS

1 Congress Street, Suite 1100 Boston, MA 02114-2023 7. Name and Address of Other Agency

US Army Corp of Engineers - Omaha District 1265 W. Center Road, HTRW-CX

Omaha, NE 68144-3869

8. Project Title

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

EPA Project Officer (Name, Address, Phone Number)
 Mike Mcgagh

1 Congress Street, Suite 1100 Boston, MA 02114-2023

617-918-1428 11. Project Period 02/01/1999 to 01/31/2002 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

1265 W. Center Road, HTRW-CX

Omaha, NE 68144-3869 402-697-2425

12. Budget Period

02/01/1999 to 01/31/2002

13. Scope of Work

Direct Fund Cite: \$10,000,000+\$2,298,138 = \$12,298,138

Revised Reimbursable: \$2,600,000+\$ 0 = \$ 2,600,000

Total \$14,898,138

EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580

15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$12,600,000	\$2,298,138	\$14,898,138
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$12,600,000	\$2,298,138	\$14,898,138

#### 21. FISCAL

Site Name	DCN RSP004	FY 2000	Approp.	Budget Org. 1A00R	PRC 50102D	Object 2507	Site/Project 0143RA01	Cost Org.	Obligation 2298138
						1 1			1200



EPA IAG Identification No: DW-96-94018901 - 3 Page 2 of 3

Part II - Approved Budget	EPA IAG Identification Number		
		DW-96-94018901 - 3	
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date	
(a) Personnel		\$2,600,000	
(b) Fringe Benefits		\$0	
(c) Travel		\$0	
(d) Equipment		\$0	
(e) Supplies		\$0	
(f) Procurement / Assistance	\$2,298,138	\$12,298,138	
(g) Construction		\$0	
(h) Other	£2 200 120	\$0	
(i) Total Direct Charges (j) Indirect Costs: Rate % Base \$	\$2,298,138	\$14,898,138 \$0	
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$2,298,138		
		<del>'</del>	
23. Is equipment authorized to be furnished by EPA or leased, purchased	I, or rented with EPA funds?	☐ Yes ⊠ No	
(Identify all equipment costing \$1,000 or more)			
24. Are any of these funds being used on extramural agreements? (See I	Item 22f.) 🛚 🖂 Yes 🗌 No		
Type of Extramural Agreement Grant Coope	erative Agreement 🗵 Procureme	ent	
Contractor/Recipient Name (if known) Total Extramural Amo	unt Under This Project	Percent Funded by EPA (if known)	
Foster Wheeler	12298138 <b>Total.</b> \$ 12,298,138.00	100	
Part III - Funding Methods	and Billing Instructions		
25. (Note: EPA Agency Loc	ation Code (ALC) - 68010	7727)	
☐ Disbursement Agreement Request for repayment of actument Management Office, Cincinnati,		SF 1080 and submitted to the Financial	
⊠ Repayment ⊠ Monthly	Quarterly U	pon Completion of Work	
Advance for this type of payment method.	. Unexpended funds at completio	und or with appropriate justification of need not work will be returned to EPA. Quarterly er, EPA, Cincinnati, OH 45268-7002.	
Allocation Transfer-Out approval by the Office of Compti	roller, Budget Division, Budget Fo the Financial Reports and Analys	ween Federal agencies. Must receive prior prior prior prior and Control Branch, EPA Hodits is Branch, Financial Management Division,	
26.			
Reimbursement Agreement			
Repayment			
Advance			
Allocation Transfer-In	·		
Other Agency's IAG Identification Number	EPA Program Office	Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Bill	ling Instructions and Frequency	
EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete			

**EPA IAG Identification No.DW-96-94018901-3** Page 3 of 3

Part IV - Acceptance Conditions

#### **EPA Identification Number**

DW-96-94018901 - 3

#### 27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

#### Part V - Offer and Acceptance

1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

#### EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1-OSRR 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office 31. Signature Typed Name and Title Date 7/10/2000 Pat Meaney / Director; Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency Typed Name and Title 32. Signature Date Stephen Perkins / Director, Office of Administration & Resources Management Authorizing Official on Behalf of the Other Agency 33. Signature Typed Name and Title Date Mark J. Otis / Chief, Environmental Project Management Branch



# Washington, DC 20460 Interagency Agreement

Amendment

Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 4 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

Region 1-08

6. Name and Address of EPA Organization

US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023 7. Name and Address of Other Agency
Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869 APIG 6

8. Project Title

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

EPA Project Officer (Name, Address, Phone Number)
 Mike Mcgagh
 1 Congress Street, Suite 1100
 Boston, MA 02114-2023
 617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425

11. Project Period

02/01/1999 to 01/31/2002

12. Budget Period

02/01/1999 to 01/31/2002

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Maureen Owens 800-439-2370

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended; Executive Order 12580

15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$14,898,138	\$11,847,022	\$26,745,160
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$14,898,138	\$11,847,022	\$26,745,160

Fiscal Programme Tribution (1997)									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP001	2001,	TR2	1A00R	50102D	2507	0143RA01	C003	11,847,022
								İ	11,847,022

EPA IAG Identification No. DW-96-94018901 - 4 Page 2

Part II	EPA IAG Identification Number		
1			DW-96-94018901 - 4
22. Budget Ca	ategories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$300,000	\$2,900,000
(b) Fringe Benefits			\$0
(c) Travel			\$0
(d) Equipment			\$0
(e) Supplies			\$0
(f) Procurement / Assistance		\$11,547,022	\$23,845,160
(g) Construction			\$0
(h) Other			\$0
(i) Total Direct Charges		\$11,847,022	\$26,745,160
(j) Indirect Costs: Rate % Base \$		044.047.000	\$0
(k) Total (EPA Share 100.00 %) (Other	Agency Share 0.00 %)	\$11,847,022	\$26,745,160
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 or	more)		] Yes⊠ No
24. Are any of these funds being used on e	xtramural agreements? (See Item 22	f.) Xes No	
Type of Extramural Agreement G	rant Cooperative Agreemer	nt	⊠ Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Und		Percent Funded by EPA (if known)
Foster Wheeler		23845160 Total \$ 23,845,160.00	100
P	art III - Funding Methods and I	Billing Instructions	3
25.	(Note: EPA Agency Location		·
I salas a sala	Management Office, Cincinnati, OH 452	68-7002:	SF 1080 and submitted to the Financial
Repayment	⊠ Monthly □ Quarte	erly U <sub>I</sub>	oon Completion of Work
Advance		ended funds at completion	nd or with appropriate justification of need n of work will be returned to EPA. Quarterly r, EPA, Cincinnati, OH 45268-7002.
☐ Allocation Transfer-Out	approval by the Office of Comptroller, B	udget Division, Budget Fo incial Reports and Analys	ween Federal agencies. Must receive prior rmulation and Control Branch, EPA Hdqtrs. is Branch, Financial Management Division,
26.			
Reimbursement Agreement		•	
Repayment			
Advance			
☐ Allocation Transfer-In			
Other Agency's IAG Identification Number		EPA Program Office	Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include AL EPA Form 1610-1 (Rev. 10-88). Previous editions are of the second secon	_	Other Agency's Bill	ing Instructions and Frequency

OW 96940189-01-4

Date

EPA IAG Identification No.DW-96-94018901 - 4 Page 3

#### **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - 4 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA Program Office (for technical assistance) EPA IAG Administration Office (for administrative assistance) 30. Organization/Address 29. Organization/Address US EPA R1 US Environmental Protection Agency **Grants Management Office** Region 1-OSRR 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title 31. Signature Pat Meaney, Director, Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency 32. Signature Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management

Authorizing Official on Behalf of the Other Agency

Mark J. Otis, Chief, Environmental Project Management Branch

Typed Name and Title

EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.

33. Sign

1. EPA IAG Identification Number · DW-96-94018901 - 5

4. Funding Location by Region EPA R1

Page 1

Interagency Agreement

2. Other Agency IAG ID Number

5. Program Office

Amendment Part 1 - General Information 3. Type of Action

Abbreviation

Augmentation: Increase

Region 1-OSRR

6. Name and Address of EPA Organization

US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023

7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX 12565 West Center Road

Omaha, NE 68144-3869

8. Project Title

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425

11. Project Period

02/01/1999 to 01/31/2002

12. Budget Period

02/01/1999 to 01/31/2002

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Maureen Owens 800-439-2370.

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115; Economy Act Of 1932 As Amended, Executive Order 12580

15. Other Agency Type Federal Agency

**Amended Total** Funds **Previous Amount Amount This Action** 16. EPA Amount \$26,745,160 \$4,587,207 \$31,332,367 17. EPA In-Kind Amount \$0 \$0 18. Other Agency Amount \$0 \$0 19. Other Agency In-Kind Amt. \$0 \$0 20. Total Project Cost \$4,587,207 \$31,332,367 \$26,745,160

Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP001	2001	TR1	1A00R	50102D	2507	0143RA01	C003	4,587,207
		i							4,587,207



EPA IAG Identification No. DW-96-94018901 - 5 Page 2

Part I	l - Approved Budget		EPA IAG Identification Number
	-		DW-96-94018901 - 5
22. Budget C	ategories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel			\$2,900,000
(b) Fringe Benefits			\$0
(c) Travel			\$0
(d) Equipment	·		\$0
(e) Supplies			\$0
(f) Procurement / Assistance		\$4,587,207	\$28,432,367
(g) Construction			\$0
(h) Other			\$0
(i) Total Direct Charges		\$4,587,207	\$31,332,367
(j) Indirect Costs: Rate % Base \$	0.0000	<u> </u>	\$0
(k) Total (EPA Share 100.00 %) (Other	Agency Share 0.00 %)	\$4,587,207	\$31,332,367
23. Is equipment authorized to be furnishe	:	I with EPA funds?	☐ Yes⊠ No
(Identify all equipment costing \$1,000 o	<del></del>	7-1	
24. Are any of these funds being used on e		⊠ Yes⊡ No	
Type of Extramural Agreement G	rant Cooperative Agreement		Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under		Percent Funded by EPA (if known)
Foster Wheeler	To	28432367 otal: \$ 28,432,367.00	100
Р	art III - Funding Methods and Bill	ing Instructions	
25.	(Note: EPA Agency Location Co	de (ALC) - 68010	727)
	Request for repayment of actual costs n Management Office, Cincinnati, OH 45268-		SF 1080 and submitted to the Financial
Repayment	Monthly  ☐ Quarterly	- 🗆 บ	pon Completion of Work
Advance		ed funds at completio	and or with appropriate justification of need on of work will be returned to EPA. Quarterly or, EPA, Cincinnati, OH 45268-7002.
Allocation Transfer-Out	approval by the Office of Comptroller, Budg	et Division, Budget Fo	ween Federal agencies. Must receive prior remulation and Control Branch, EPA Hdqtrs is Branch, Financial Management Division,
26.			
Reimbursement Agreement			
Repayment	·		•
Advance		4	
		•	
Allocation Transfer-In			
Other Agency's IAG Identification Number		EPA Program Office	Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include AL	C or Station Symbol Number)	Other Agency's Bill	ing Instructions and Frequency

Ow 86940189-01-5

EPA IAG Identification No.DW-96-94018901 - 5 Page 3

#### **EPA Identification Number Part IV - Acceptance Conditions** DW-96-94018901 - 5 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1-OSRR 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law Decision Official on Behalf of the Environment Protection Agency Program Office 31. Signature Typed Name and Title 5/15/2001 Patricia L. Meaney, Director Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency 32. Signature Typed Name and Title Stephen Perkins, Director Office of Administration & Resources Management Authorizing Official on Behalf of the Other Agency

Mark J. Otis, Chief, Environmental Project Management Branch

Typed Name and Title

revious editions are obsolete.

33. Sign

EPA Form 1610-1 (Rev. 10488)



# Interagency Agreement

### **Amendment** Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 6

4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

Region 1-OSRR

6. Name and Address of EPA Organization

US Environmental Protection Agency

Contracts Management Section, HBS

1 Congress Street, Suite 1100

Boston, MA 02114-2023

7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

8. Project Title

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh

1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

11. Project Period

02/01/99 to 01/31/2007

12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115

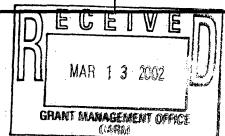
15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$31,332,367	\$9,996,493	\$41,328,860
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$31,332,367	\$9,996,493	\$41,328,860

				2	1. Fiscal				
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP002	2002	TR2	1A00R	50102D	2507	0143RA01	C003	9,796,493
	RSP001	2002	TR1	1A00R	50102D	2507	· · · .		200,000
									9,996,493



EPA IAG Identification No. DW-96-94018901 - 6 Page 2 **EPA IAG Identification Number** Part II - Approved Budget DW-96-94018901 - 6 22. Budget Categories Itemization of Itemization of Total Project **This Action Estimated Cost to Date** (a) Personnel \$2,900,000 (b) Fringe Benefits (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$0 (f) Procurement / Assistance \$38,428,860 \$9,996,493 (g) Construction \$0 (h) Other (i) Total Direct Charges \$9,996,493 \$41,328,860 (I) Indirect Costs: Rate % Base \$ \$0 (k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$9,996,493 \$41,328,860 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? 🔲 Yes🔀 No (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) ⊠ Yes⊡ No ☐ Grant Cooperative Agreement Procurement Type of Extramural Agreement Total Extramural Amount Under This Project Percent Funded by EPA (if known) Contractor/Recipient Name (if known) 38428860 Foster Wheeler Total \$38,428,860.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: Repayment | ☐ Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need ☐ Advance for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior Allocation Transfer-Out approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Reimbursement Agreement Repayment Advance Allocation Transfer-In Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency



#### Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - 6

#### 27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

#### Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

#### PA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 30. Organization/Address 9. Organization/Address US EPA R1 **US Environmental Protection Agency Grants Management Office** Region 1-OSRR 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023

#### Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and

complete. Signers ac	knowledge that any knowingly false or misleading statements may be punishable by or both under applicable law.	·
1 // 21 /	icial on Behalf of the Environment Protection Agency Program Office	`
1/Stanature	Typed Name and Title Patricia L. Meaney, Director Office of Site Remediation and Restoration	Date 26-02
	Action on Behalf of the Environment Protection Agency	,
2. Signature	Typed Name and Title Stephen Perkins, Director Office of Administration & Resources Management	Date 2/11/02
	Authorizing Official on Behalf of the Other Agency	
3. Signafure Willey Cfc	Typed Name and Title  Mark J. Otis, Chief, Environmental Project Management Branch	Date 2/22/02



KN 16m3

Boston, MA 02114-2023

**United States Environmental Protection Agency** Washington, DC 20460

# **Interagency Agreement**

Amendment

Part 1 - General Information

4. Funding Location by Region EPA R1

Page 1

2. Other Agency IAG ID Number

1. EPA IAG Identification Number

5. Program Office **Abbreviation** 

3. Type of Action

Augmentation: Increase

DW-96-94018901 - 7

Region 1-OSRR

6. Name and Address of EPA Organization

US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100

7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX 12565 West Center Road

Omaha, NE 68144-3869

8. Project Title

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

9. EPA Project Officer (Name, Address, Phone Number) Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425

11. Project Period 02/01/99 to 01/31/2007 12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$41,328,860	\$2,563,133	\$43,891,993
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	. \$0		\$0
20. Total Project Cost	\$41,328,860	\$2,563,133	\$43,891,993

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP007	02	TR2	1A00R	50102D	2507	0143RA01	C003	2,563,133
	L					<u>'</u>			2,563,133



EPA IAG Identification No.	DW-96-94018901 - 7	Page 2	

. <del></del>		LI A IAG Identification I				
Part	li - Approved Budget	•	EPA IAG Identification Number			
			DW-96-94018901 - 7			
22. Budget C	ategories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date			
(a) Personnel			\$2,900,000			
(b) Fringe Benefits			\$0			
(c) Travel	· · ·	İ	\$0			
(d) Equipment		İ	\$0			
(e) Supplies			\$0			
(f) Procurement / Assistance		\$2,563,133	\$40,991,993			
(g) Construction			\$0			
(h) Other		<b>i</b>	\$0			
(i) Total Direct Charges		\$2,563,133	\$43,891,993			
(j) Indirect Costs: Rate % Base \$		\$0	\$0			
	Agency Share 0.00 %)	\$2,563,133	\$43,891,993			
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 or	more)		Yes⊠ No			
24. Are any of these funds being used on e	xtramural agreements? (See Item 22f.)	Yes_ No				
Type of Extramural Agreement G	rant Cooperative Agreement		□ Procurement			
Contractor/Recipient Name (if known)	Total Extramural Amount Unde	r This Project	Percent Funded by EPA (if known)			
Foster Wheeler		40991993	100			
	•	Total. \$ 40,991,993.00				
Pa	art III - Funding Methods and Billi	ing Instructions	•			
25.	(Note: EPA Agency Location Co	de (ALC) - 6801072	27)			
	Request for repayment of actual costs m Management Office, Cincinnati, OH 45268-		1080 and submitted to the Financial			
Repayment	Monthly □ Quarterly	Upo	on Completion of Work			
Advance	Only available for use by Federal agencies for this type of payment method. Unexpo Quarterly cost reports will be forwarded 45268-7002.	ended funds at complet	tion of work will be returned to EPA.			
☐ Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.					
26.		. ,				
Reimbursement Agreement						
Repayment	,					
Advance		•				
Allocation Transfer-In		,	•			
Other Agency's IAG Identification Number		EPA Program Office A	lowance Holder/Resp. Center No.			
Other Agency's Billing Address (include AL	C or Station Symbol Number)	Other Agency's Billing	Instructions and Frequency			
•		ļ				
· ·	<u> </u>					
EPA Form 1610-1 (Rev. 10-88). Previous editions are of	obsolete ,					



#### **Part IV - Acceptance Conditions**

**EPA Identification Number** 

DW-96-94018901 - 7

#### 27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

#### Part V - Offer and Acceptance

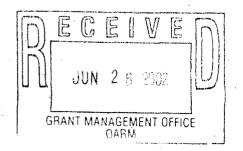
**Note:** 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

#### EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1-OSRR 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Date Patricia L. Meaney, Director Office of Site Remediation and Restoration Action on Behalf of the Environment Protection Agency Typed Name and Title Stephen Perkins, Director Office of Administration & Resources Management Authorizing Official on Behalf of the Other Agency Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.







# Interagency Agreement

### **Amendment** Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 8 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office **Abbreviation** 

3. Type of Action

Augmentation: Increase

Region 1

6. Name and Address of EPA Organization

US Environmental Protection Agency

- Contracts Management Section, HBS
  - 1 Congress Street, Suite 1100

Boston, MA 02114-2023

7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

8. Project Title and Description

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335. Increase in funds

**Explanation of Changes** 

Major (Amendment Req.)

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh

1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

11. Project Period 02/01/99 to 01/31/2007

13. Scope of Work

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/99 to 01/31/2007

Rlease refer to existing Scope of Work

EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

Amount This Action Amended Total Funds **Previous Amount** \$1,100,000 16. EPA Amount \$43,891,993 \$44,991,993 17. EPA In-Kind Amount \$0 \$0 18. Other Agency Amount \$0 \$0 19. Other Agency In-Kind Amt. \$0 \$0 20. Total Project Cost \$43,891,993 \$1,100,000 \$44,991,993

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
,	RUP010	2002	TR2	1A00R	50102D	2507	0143RA01	C003	1.100,000
						1. 1			1,100,000

"EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

Virect Fund Cite: 40, 991, 993
Revised Keinbursable: 2,900,000

EPA IAG Identification No. DW-96-94018901 - 8 Page 2

Pa	EPA IAG Identification Number			
				DW-96-94018901 - 8
22. Budget	t Categories		Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel				\$2,900,000
(b) Fringe Benefits				. \$0
(c) Travel	·			\$0
(d) Equipment				\$0
(e) Supplies				50
(f) Procurement / Assistance			\$1,100,000	\$42,091,993
(g) Construction				\$0
(h) Other				\$0
(i) Total Direct Charges			\$1,100,000	\$44,991,993
(j) Indirect Costs: Rate % Base \$	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		\$0	\$0
(k) Total (EPA Share 100.00 %) (Other	er Agency Share 0.00 %)		\$1,100,000	\$44,991,993
23. Is equipment authorized to be furnish (Identify all equipment costing \$1,000 24. Are any of these funds being used on	or morê)		I with EPA funds?	Yes No
<u> </u>	Grant Cooperative			
Contractor/Recipient Name (if known)	Total Extramural A		This Project	Percent Funded by EPA (if known)
Foster Wheeler	Total Extramular A	mount onder	42091993	100
103101			Total \$ 42,091,993.00	
, F	Part III - Funding Method	s and Billi	ng Instructions	
25.	(Note: EPA Agency Lo			•
Disbursement Agreement	Management Office, Cincinnat	ti <u>, O</u> H 45268-7	7002:	1080 and submitted to the Financial
Repayment	Monthly	U Quarterly	•	on Completion of Work
Advance	for this type of payment met	thod. Unexpe	ended funds at complet	or with appropriate justification of need tion of work will be returned to EPA. gement Center, EPA, Cincinnati, OH
Allocation Transfer-Out	approval by the Office of Co	emptroller, Bud eparts to the F	dget Division, Budget F Financial Reports and Ai	en Federal agencies. Must receive prior Formulation and Control Branch, EPA nalysis Branch, Financial Management
26.				
Reimbursement Agreement				
Repayment				
Advance				
Allocation Transfer-In				
Funding Agency's Treasury Symbol	One Year	Two-Ye	ar No-	Van
	One-Year			
Other Agency's IAG Identification Number			EPA Program Office All	lowance Holder/Resp. Center No.
Other Agency's Billing Address (include AL	_C or Station Symbol Number)		Other Agency's Billing	Instructions and Frequency

EPA IAG Identification No.DW-96-94018901 - 8 Page 3 **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - 8 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially after the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office 31. Signatur Typed Name and Title Richard Cavagnero, Acting Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency 32. Signature Typed Name and Title James T. Owens, Acting Director Office of Administration & Resource Management Authorizing Official on Behalf of the Other Agency Typed Name and Title

Mark J. Otis, Chief, Environmental Project Management Branch



### Interagency Agreement

# Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - 9 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office

Abbreviation

3. Type of Action

Augmentation: Increase

Region 1

6. Name and Address of EPA Organization

US Environmental Protection Agency Contracts Management Section, HBS

1 Congress Street, Suite 1100 Boston, MA 02114-2023 7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

8. Project Title and Description

Remedial Action for the clean-up of the Upper and Lower Harbor at the New Bedford Superfund Site, New Bedford, MAD980731335.

Increase in funds

**Explanation of Changes** 

Major (Amendment Req.)

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh

1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

11. Project Period

02/01/99 to 01/31/2007 13. Scope of Work 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/99 to 01/31/2007

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Janet Bartlett 617-918-1972

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type

Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total		
16. EPA Amount	\$44,991,993	\$7,641,026	\$52,633,019		
17. EPA In-Kind Amount	\$0		\$0		
18. Other Agency Amount	\$0		\$0		
19. Other Agency In-Kind Amt.	\$0		\$0		
20. Total Project Cost	\$44,991,993	\$7,641,026	\$52,633,019		

	21. Fiscal								
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP009	02	TC	1A00R	50102D	. 2507	0143RA01	C003	6,441,026
	RAP010	02	Т	1A00R	50102D	2507	0143RA01	. C003	100,000
	RUP012	. 02	TR2	1A00R	50102D	2507	0143RA01	C003	1,100,000
									7,641,026

EPA IAG Identification No. DW-96-94018901 - 9 Page 2

Par	EPA IAG Identification Number					
· ·	· · · · · · · · · · · · · · · · · · ·			DW-96-94018901 - 9		
22. Budget	Categories		Itemization of This Action	Itemization of Total Project Estimated Cost to Date		
(a) Personnel	a tanaman dan ng philiping ng			\$2,900,000		
(b) Fringe Benefits	·			\$0		
(c) Travel				\$0		
(d) Equipment				\$0		
(e) Supplies				\$0		
(f) Procurement / Assistance			\$7,641,026	\$49,733,019		
(g) Construction				\$0		
(h) Other		·	\$0			
(i) Total Direct Charges			\$7,641,026	\$52,633,019		
(j) Indirect Costs: Rate % Base \$	<del></del>		\$0	\$0		
(k) Total (EPA Share 100.00 %) (Other	er Agency Share 0.00 %)	\$7,641,026	\$52,633,019			
23. Is equipment authorized to be furnish (Identify all equipment costing \$1,000		sed, or rented	with EPA funds? ☐	Yes⊠ No		
24. Are any of these funds being used on	extramural agreements? (Se	e Item 22f.)	Yes No			
Type of Extramural Agreement	Grant Cooperative	Agreement		⊠ Procurement		
Contractor/Recipient Name (if known)	Total Extramural A		This Project	Percent Funded by EPA (if known)		
Foster Wheeler		·	48633019 <b>Fotal</b> \$ 48,633,019.00	100		
F	Part III - Funding Method	ds and Billi	ng Instructions			
25.	(Note: EPA Agency Lo	ocation Co	de (ALC) - 6801072	27)		
Disbursement Agreement	Management Office, Cincinna			1080 and submitted to the Financial		
⊠ Repayment	Monthly	U Quarterly	*	on Completion of Work		
Advance	for this type of payment me	ethod. Unexpe	nded funds at comple	or with appropriate justification of need tion of work will be returned to EPA. gement Center, EPA, Cincinnati, OH		
Allocation Transfer-Out	approval by the Office of Co	omptroller, Burreports to the f	dget Division, Budget I Financial Reports and A	en Federal agencies. Must receive prior Formulation and Control Branch, EPA Malysis Branch, Financial Management		
26.						
Reimbursement Agreement		•	,			
Repayment			•			
Advance			,			
Allocation Transfer-In						
Funding Agency's Treasury Symbol	One-Year	☐ Two-Yea	r No-Y	'ear		
Other Agency's IAG Identification Number				llowance Holder/Resp. Center No.		
Other Agency's Billing Address (include A	LC or Station Symbol Numbe	r)	Other Agency's Billing	Instructions and Frequency		
	•					
PA Form 1610-1 (Rev. 10-88). Previous editions are	obsolete			<del></del>		

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		SPA IAS Identification No.009-10-4911201.	Page 3
Part IV	- Acceptance Conditions	EPA (dentification i	iumber
The second secon	MARK Stignans and	DW-98-94	1018901 - 9
27. Seneral Conditions		AND AND AND AND AND AND AND AND AND AND	
The other agency covenants and agrees have been awarded under this agreemen		d complete the project for which funds	·
26. Special Conditions (Attach additional	sheels if needed)		
	•		
	•		•
			· ·
Grants Administration Division for Headqual	riers agreements or to the approp	ned by the other agency official in duplicate and one or riale EPA Regional IAG administration office within 3 ament/amendment must be forwarded to the address	calendar weeks after
Receipt of a written refusal or tallure to return change to the agreement/amendment by the determines to meterially after the agreement	e other agency subsequent to the	within the prescribed time may result in the withdrawal document being signed by the EPA Action Official, whi nent/amendment.	of offer by EPA. Any ch the Action Official
	iments will then be forwarded to t	ward two original agreements/amendments to the appri- he appropriate EPA IAG administration office for acci- acceptance.	
EPA IAG Administration Office (for admini	strative assistance)	EPA Program Office (for technical sesistance)	
2i), Organization/Address		30. Organization/Address	,
US EPA RY	•	US Environmental Protection Agency	
Grants Management Office	·	Region 1	
1 Congress Street, Suite 1100		1 Congress Street, Suits 1100	
Anston, MA 02114-2023		Bastan, MA 02114-2023	
			· .
	Certific	tion	
complete. Signers a		n and all attachments thereto are true, accurate, and ise or misleading statements may be punishable by	
فيستنب والمناب والمراكب والمراكب والمراكب والمراكب والمراكب والمراكب والمراكب والمراكب والمراكب والمراكب والمراكب	Name and Address of the Owner, where the Party of the Owner, where the Party of the Owner, where the Owner, which is the Owner, which is the Owner, where the Owner, where the Owner, which is the Owner, which	nent Protection Agency Program Office	
31. Signature	Typed Name and Title		Dete
	ستوب والتواري والمناوي والمساوي	r. Office of Site Remediation & Restoration	9-26-02
	Action on Behalf of the Enviro	nment Profection Agency	
2 3 Think I I I I	Typed Name and Title James T. Owans, Acting Direct	ctor Office of Administration & Resource Management	9/26/02
	Authorizing Official on Beh		
33. Shahatura	Typed Name and Title		Date /

Mark J. Otts, Chief, Environmental Project Management Branch



# **Interagency Agreement**

### Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - A

4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

6. Name and Address of EPA Organization **US Environmental Protection Agency** 

Contracts Management Section, HBS

1 Congress Street, Suite 1100

Boston, MA 02114-2023

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Major (Amendment Req.) Agreement increased by \$12,075,000

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh 1 Congress Street, Suite 1100 Boston, MA 02114-2023

617-918-1428 1. Project Period

02/01/1999 to 01/31/2007

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425

12. Budget Period

02/01/1999 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

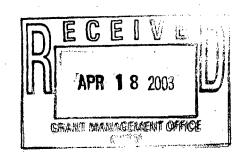
14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

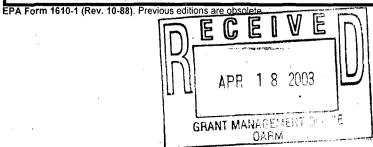
Funds	Previous Amount	Amount This Action	Amended Total		
16. EPA Amount	\$52,633,019	\$12,075,000	\$64,708,019		
17. EPA In-Kind Amount	\$0		\$0		
18. Other Agency Amount	\$0		\$0		
19. Other Agency In-Kind Amt.	\$0		\$0		
20. Total Project Cost	\$52,633,019	.\$12,075,000	\$64,708,019		

	21. Fiscal								
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP003	2003	TR1	1A00R	50102D	2507	0143RA01	C003	1,400,000
	RUP002	2003	TR2B	1A00R	50102D	2507	0143RA01	C003	675,000
	RAP001	2003	T	1A00R	50102D	2507	0143RA01	-C003	4,500,000
	RAP006	2003	T	1A00R	50102D	. 2507	0143RA01	C003	5,500,000
					·				12,075,000



EPA IAG Identification No. DW-96-94018901 - A Page 2

Part	II - Approved Budget		. A IAO Identinication N	EPA IAG Identification Number			
				DW-96-94018901 - A			
22. Budget C	ategories		Itemization of This Action	Itemization of Total Project Estimated Cost to Date			
(a) Personnel			\$2,500,000	\$5,400,000			
(b) Fringe Benefits		i i		\$0			
(c) Travel		· · · · · · · · · · · · · · · · · · ·					
(d) Equipment		<u> </u>		. \$0			
(e) Supplies		<u>-</u>	····	\$0			
(f) Procurement / Assistance			\$9,575,000	\$59,308,019			
(g) Construction		<del></del>		.\$0			
(h) Other	<del></del>	··· <del>·</del>		\$0			
(i) Total Direct Charges		-	\$12,075,000	\$64,708,019			
(j) Indirect Costs: Rate % Base \$			\$0	\$0			
<u> </u>	Agency Share 0.00 %)		\$12,075,000	\$64,708,019			
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 columns and on these funds being used on	r more)		vith EPA funds?	Yes⊠ No			
			23 103 110				
Type of Extramural Agreement	Grant Cooperative Ag	reement		⊠ Procurement			
Contractor/Recipient Name (if known)	Total Extramural Am	ount Under 1	his Project	Percent Funded by EPA (if known)			
Foster Wheeler		т.	63808019 otal: \$ 63,808,019.00	100			
P	art III - Funding Methods	and Billin	g Instructions				
25.	(Note: EPA Agency Loc	ation Cod	e (ALC) - 680107	27)			
☐ Disbursement Agreement	Management Office, Cincinnati,			1080 and submitted to the Financial			
⊠ Repayment	Monthly	Quarterly	Upo	on Completion of Work			
Advance	for this type of payment meth	od. Unexpen	ded funds at comple	or with appropriate justification of need tion of work will be returned to EPA. Igement Center, EPA, Cincinnati, OH			
Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.							
26.			•				
Reimbursement Agreement	•						
Repayment		·					
Advance			•	•			
Allocation Transfer-In			•				
Funding Agency's Treasury Symbol	One-Year	☐ Two-Year	☐ No-Y	'ear			
Other Agency's IAG Identification Number		E	PA Program Office A	llowance Holder/Resp. Center No.			
Other Agency's Billing Address (include A	LC or Station Symbol Number)	<del></del> -	Other Agency's Billin	g Instructions and Frequency			



EPA Program Office (for technical assistance)

#### Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - A

and hapter of the the life of a fifther trape a comment of since in

#### 27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

EPA IAG Administration Office (for administrative assistance)

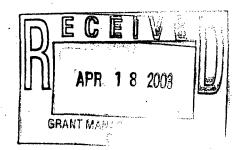
#### Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

#### 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Signatur 3-2703 Richard Cavagnero, Acting Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency Typed Name and Title \$ignature James T. Owens, Acting Director Office of Administration & Resource Management Authorizing Official on Behalf of the Other Agency Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch 1610-1 (Rev/10/88) Previous editions are obsolete.



386940189-01-8

In 7/29



United States Environmental **Protection Agency** Washington, DC 20460

# Interagency Agreement

## **Amendment** Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - B

4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

Abbreviation

3. Type of Action

Augmentation: Increase

Region 1

5. Program Office

6. Name and Address of EPA Organization

**US** Environmental Protection Agency Contracts Management Section, HBS

1 Congress Street, Suite 1100

Boston, MA 02114-2023 **DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

DUNS:

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at

New Bedford Superfund Site, New Bedford, MAD980731335.

Major (Amendment Req.); Increase funding

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh 1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

11. Project Period 02/01/99 to 01/31/2007 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type Federal Agency

CERCLA: Secs. 105(A)(4) & 115 **Amount This Action** Funds **Previous Amount Amended Total** 16. EPA Amount \$64,708,019 \$520,700 \$65,228,719 17, EPA In-Kind Amount \$0 \$0 18. Other Agency Amount \$0 19. Other Agency In-Kind Amt. \$0 \$0 20. Total Project Cost \$64,708,019 \$520,700 \$65,228,719

21 Fiscal

				_	1. 1 13Cai				1
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
·	RUP008	2003	TR2	1A00R	50102D	2507	0143RA01	C003	520,700
•				,					520,700

:PA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



EPA IAG Identification No. DW-96-94018901 - B Page 2

Part	II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - B
22. Budget C	ategories	Itemization of	Itemization of Total Project
22. Budget C	, alegories	This Action	Estimated Cost to Date
a) Personnel		\$4,520,700	\$9,920,700
o) Fringe Benefits		·	\$0
c) Travel			\$0
d) Equipment			\$0
e) Supplies			\$0
Procurement / Assistance		\$-4,000,000	\$55,308,019
g) Construction			\$0
h) Other			\$0
i) Total Direct Charges		\$520,700	· \$65,228,719
) Indirect Costs: Rate % Base \$		\$0	\$0
k) Total (EPA Share 100.00 %) (Othe	r Agency Share 0.00 %)	\$520,700	\$65,228,719
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 of these funds being used on	or more) extramural agreements? (See Item 22f.)	⊠ Yes No	
Type of Extramural Agreement	Grant Cooperative Agreement	<u>'</u>	⊠ Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Und		Percent Funded by EPA (if known)
Foster Wheeler		55308019 Total: \$ 55,308,019.00	100
F	Part III - Funding Methods and Bi		
25.	(Note: EPA Agency Location C	ode (ALC) - 680107:	27)
<ul><li>☑ Disbursement Agreement</li><li>☑ Repayment</li></ul>	Request for repayment of actual costs Management Office, Cincinnati, OH 4526  Monthly  Quarter	8-7002:	1080 and submitted to the Financial on Completion of Work
Advance	Only available for use by Federal agencifor this type of payment method. Unex Quarterly cost reports will be forwarde 45268-7002.	pended funds at comple	tion of work will be returned to EPA.
Allocation Transfer-Out	Used to transfer obligational authority or approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the Division, PM-226F, EPA, Washington, DC	Budget Division, Budget ne Financial Reports and A	Formulation and Control Branch, EPA
26. Reimbursement Agreement			
Repayment		• • •	
Advance	•	•	
Allocation Transfer-In			
Funding Agency's Treasury Symbol.	One-Year	-Year No	o-Year
Other Agency's IAG Identification Numbe			Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include A	ALC or Station Symbol Number)	Other Agency's Billin	ng Instructions and Frequency
		*	
		E P E I PA E	
PA Form 1610-1 (Rev. 10-88). Prévious editions a	re obsolete	E E W	

# EPA Identification Number Part IV - Acceptance Conditions DW-96-94018901 - B 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency **Grants Management Office** Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Susan Studlien, Acting Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency Typed Name and Title

James T. Owens, Acting Director Office of Administration & Resource Management

Authorizing Official on Behalf of the Other Agency

Mark J. Otis, Chief, Environmental Project Management Branch

Typed Name and Title

EPA Form 1610-1 (Rev./10-89) Previous editions are obsolete.



Date



United States Environmental Protection Agency Washington, DC 20460

# Interagency Agreement

# Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - C 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

3. Type of Action

5. Program Office Abbreviation Region 1 -

Augmentation: Increase

6. Name and Address of EPA Organization **US** Environmental Protection Agency Contracts Management Section, HBS.

1 Congress Street, Suite 1100

Boston, MA 02114-2023

DUNS: 029128894

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

DUNS:

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

Major (Amendment Req.); Increase funding

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh

1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman 12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

11. Project Period

02/01/99 to 01/31/2007

12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type Federal Agency

CERCLA; Secs. 105(A)(4) & 115

Funds	Previous Amount	Amount This Action	Amended Total		
16. EPA Amount	\$65,228,719	\$325,000	\$65,553,719		
17. EPA In-Kind Amount	\$0		\$0		
18. Other Agency Amount	\$0		\$0		
19. Other Agency In-Kind Amt.	\$0		\$0		
20. Total Project Cost	\$65,228,719	\$325,000	\$65,553,719		

	21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation	
	RUP011	2003	TR2B	1A00R	50102D	2507	0143RA01	C003	325,000	
				,				[	325,000	

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-96-94018901 - C Page 2

Part	II - Approved Budget	·	EPA IAG Identification Number
		,	DW-96-94018901 - C
22. Budget C	ategories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel			\$9,920,700
(b) Fringe Benefits			\$0
(c) Travel			\$0
(d) Equipment		•	\$0
(e) Supplies			\$0
(f) Procurement / Assistance		\$325,000	\$55,633,019
(g) Construction			\$0 
(h) Other	· · · · · · · · · · · · · · · · · · ·		\$0
(i) Total Direct Charges		\$325,000	\$65,553,719
(j) Indirect Costs: Rate % Base \$	Agency Share 0.00 %)	\$0 \$325,000	\$0 \$65,553,719
(k) Total (EPA Share 100.00 %) (Other	Agency Share 0.00 %)	, \$323,000	\$60,000,719
23. Is equipment authorized to be furnishe	d by EPA or leased, purchased, or ren	nted with EPA funds?	Yes⊠ No
(Identify all equipment costing \$1,000 o	r more)		
24. Are any of these funds being used on e		f.) Xes No	
Type of Extramural Agreement G	Grant Cooperative Agreeme	nt	Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Ur	nder This Project	Percent Funded by EPA (if known)
Foster Wheeler		55633019	100
	<u> </u> art III - Funding Methods and B	- Total. \$ 55,633,019.00	
	(Note: EPA Agency Location		27)
25. Disbursement Agreement	·		1080 and submitted to the Financial
☐ Disbursement Agreement ☐ Repayment	Management Office, Cincinnati, OH 452  Monthly  Quart	68-7002:	on Completion of Work
Advance		cies on working capital fund expended funds at comple	
Allocation Transfer-Out	approval by the Office of Comptroller,	, Budget Division, Budget the Financial Reports and A	en Federal agencies. Must receive prior Formulation and Control Branch, EPA Analysis Branch, Financial Management
<b>26</b> .			
Reimbursement Agreement			
Repayment			•
Advance			
Allocation Transfer-In	•	-	
Funding Agency's Treasury Symbol	One-Year Tw	ro-Year No	-Year
Other Agency's IAG Identification Number	·		llowance Holder/Resp. Center No.
Other Agency's Billing Address (include A	LC or Station Symbol Number)	Other Agency's Billin	g Instructions and Frequency
EPA Form 1610-1 (Rev. 10-88). Previous editions are		Janes Agents, 6 Billing	5 double dire i loquelloj

Uy/26/US 11:05 [] :03/04 NO:315

		EPA (AG Identification	n No.DW-86-94018801 - C	age 3		
Part IV - Ac	ceptance Conditions	•	EPA Identification Number	br		
			DW-95-9401890	1 - C		
27. General Conditions			<del>(</del>			
The other agency covenants and agrees that have been awarded under this agreement.	t it will expeditiously initiate a	nd complete the project for which	funds			
28. Special Conditions (Attach additional she	ets if needed)					
	Part V - Offer a					
Note: 1) For Disbursement actions, the agree Grants Administration Division for Headquarters receipt or within any extension of time as may acceptance signature.	s agreements or to the approbe granted by EPA. The agr	riate EPA Regional IAG adminis ement/amendinent must be forw	tration office within 3 cales raided to the address cited	dar weeks after in item 29 after		
Receipt of a written refusal or failure to return the change to the agreement/amendment by the other determines to malerially after the agreement/amendment.	ner agency subsequent to the	document being signed by the E				
	nts will then be forwarded to	ward two original agreements/amendments to the appropriate EPA program the appropriate EPA IAG administration office for acceptance signature on acceptance.				
EPA IAG Administration Office (for administra	stive assistance)	EPA Program Office (for tec	hnical essistance)			
29. Organization/Address		30. Organization/Address	-			
US EPA R1		US Environmental Protect	tion Ananou	٠		
Grants Management Office	İ	Region 1				
1 Congress Street, Suite 1100		1 Congress Street, Sulte 1100				
Boston, MA 02114-2023		Boston, MA 02114-2023		*		
,	Certifi	ation	<del></del>			
complete, Signers acki	e statements made on this fo	m and all attachments thereto are talse or misleading statements ma				
		ment Protection Agency Progr	am Office			
31. Signature	Typed Name and Title			Date		
aum Stration	Susan Studien, Acting Dir.	Iffice of Site Remediation & Resi	toration	9/26/03		
	Action on Behalf of the Envi	nment Protection Agency		<del></del>		
12. Signature	Typed Name and Title			Date		
Tille	James T. Owens, Acting Di	rector Office of Administration & F	Resource Management	U20 603		
(101) 1011	Authorizing Official on Bi	half of the Other Agency		<u> </u>		
3. Signature	Typed Name and Title		<del></del>	Date/		
IVICINA CALS	Mark J. Otis, Chief, Environ	mental Project Management Bren	nch	19/26/03		
'A Form 1810-1 (Rev. 10-88) Previous editions are ob	sciete.					
OPTIONAL I	FORM 99 (7-90)	<b>4</b> ()	i	•		

FAX TRANSMITTAL Fax 617 - 918 - 0428
NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION Ifms = 19/04 cc: Cinn Fin mc6agh 86940189-01-0

Page 1



United States Environmental **Protection Agency** Washington, DC 20460

# Interagency Agreement

# Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - D 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office

3. Type of Action

Augmentation: Increase

Abbreviation

Region 1

6. Name and Address of EPA Organization

**US Environmental Protection Agency** 

Contracts Management Section, HBS

1 Congress Street, Suite 1100

Boston, MA 02114-2023

**DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

**DUNS**: Exempt

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at

New Bedford Superfund Site, New Bedford, MAD980731335.

Major (Amendment Req.); Increase funding

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh 1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

11. Project Period

02/01/99 to 01/31/2007

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities

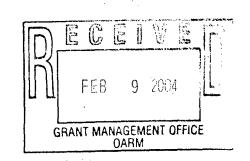
CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

Funds Previous Amount **Amount This Action** Amended Total 16. EPA Amount \$65,553,719 \$6,913,000 \$72,466,719 17, EPA In-Kind Amount \$0 18. Other Agency Amount \$0 \$0 \$0 19. Other Agency In-Kind Amt. \$0 20. Total Project Cost \$65,553,719 \$6,913,000 \$72,466,719

	21. Fiscal								
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP001	2004	TR1	1A00R	302DD2E	2507	0143RA01	C003	1,913,000
	RAP002	2004	Т	1A00R	302DD2E	2507	0143RA01	C003	5,000,000
									6,913,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



EPA IAG Identification No. DW-96-94018901 - D Part II - Approved Budget EPA IAG Identification Number DW-96-94018901 - D 22. Budget Categories Itemization of Itemization of Total Project This Action **Estimated Cost to Date** \$500,000 a) Personnei \$10,420,700 b) Fringe Benefits \$0 c) Travel d) Equipment \$0 \$0 e) Supplies \$6,413,000 \$62,046,019 f) Procurement / Assistance g) Construction \$0 h) Other i) Total Direct Charges \$6,913,000 \$72,466,719 (j) Indirect Costs: Rate % Base \$ \$0 (k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$6,913,000 \$72,466,719 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? Yes No (Identify all equipment costing \$1,000 or more) Yes No 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Procurement Type of Extramural Agreement \_\_ Grant Cooperative Agreement Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) 62046019 Foster Wheeler Total \$62,046,019.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: Upon Completion of Work Repayment Only available for use by Federal agencies on working capital fund or with appropriate justification of need Advance for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior Allocation Transfer-Out approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Reimbursement Agreement Allocation Transfer-In Funding Agency's Treasury Symbol One-Year Two-Year No-Year Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

EPA Program Office (for technical assistance)

#### Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - D

#### 27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

EPA IAG Administration Office (for administrative assistance)

#### Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

29. Organization/Address		30. Organization/Address	
US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023		US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023	
	Certif	ication	<del></del>
complete. Signers		orm and all attachments thereto are true, accurate, and all attachments there are true, accurate, and a false or misleading statements may be punishable by	
Decision	Official on Behalf of the Enviro	onment Protection Agency Program Office	
31. Signature	Typed Name and Title		Date
Susau Stratui	Susan Studlien, Dir. Office	of Site Remediation & Restoration	01/13/04
3330000 7100110	Action on Behalf of the En	vironment Protection Agency	
32 Signature	Typed Name and Title	;	Date/////
him hopened for	James T. Owens, III, Dir. 0	Office of Administration and Resource Mgmt.	11/4/07
1	Authorizing Official on E	Behalf of the Other Agency	
33. Syghamere	Typed Name and Title		Date
Marca	Mark J. Otis, Chief, Enviro	nmental Project Management Branch	1/29/04
EPA Form 1610-1 (Rev. 10-88) Previous editions	are obsolete.		

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**United States Environmental Protection Agency** Washington, DC 20460

# Interagency Agreement

# Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - E 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

Region 1

6. Name and Address of EPA Organization US Environmental Protection Agency

Contracts Management Section, HBS

1 Congress Street, Suite 1100

Boston, MA 02114-2023

**DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

**DUNS: 000960506** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at

New Bedford Superfund Site, New Bedford, MAD980731335.

Increase Funding by \$5,000,000.

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh

1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1428

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

11. Project Period

02/01/99 to 01/31/2007

12. Budget Period 02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is. Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities

CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type

Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$72,466,719	\$5,000,000	\$77,466,719
17. EPA In-Kind Amount	- \$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$72,466,719	\$5,000,000	\$77,466,719

				21	. Fiscal	•			
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP004	2004	T	1A00R	302DD2E	2507	0143RA01	C003	5,000,000
									5,000,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



# EPA IAG Identification No.DW-96-94018901 - E **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - E 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially after the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 **US Environmental Protection Agency Grants Management Office** Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Susan Studlien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt. Authorizing Official on Behalf of the Other Agency

Mark J. Otis, Chief, Environmental Project Management Branch

Typed Name and Title

Previous editions are obsolete.



96940119-01-F



United States Environmental GRAN DWARTIGH Agency Washington, DC 20469

Amendment

DW-96-94018901 - F **Interagency Agreement** 

4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

3. Type of Action

5. Program Office Abbreviation

Region 1 Augmentation: Increase

Part 1 - General Information 6. Name and Address of EPA Organization US Environmental Protection Agency

Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023

**DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

1. EPA IAG Identification Number

12565 West Center Road Omaha, NE 68144-3869

DUNS: 000960506

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

Major (Amendment Req.); Additional Funding of \$5,090,000

9. EPA Project Officer (Name, Address, Phone Number)

Mike Mcgagh

.1 Congress Street, Suite 1100 Boston, MA 02114-2023

617-918-1428

11. Project Period 02/01/99 to 01/31/2007 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCIA: Sono 105/A)/4) 8 115

15. Other Agency Type Federal Agency

CERCLA: Secs. 105(A)(4) & 11	<u> </u>	erre we english the reserve	a series of the series of the series of			
Funds	Previous Amount	Amount This Action	Amended Total			
16. EPA Amount	\$77,466,719	\$5,090,000	\$82,556,719			
17. EPA In-Kind Amount	\$0	PATE AND AND AND AND AND AND AND AND AND AND	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
18. Other Agency Amount	\$0		\$0			
19. Other Agency In-Kind Amt.	\$0	and the state of t	- \$0			
20. Total Project Cost	\$77,466,719	\$5,090,000	\$82,556,719			

		: .	3*	2	1. Fiscal	•			
Site Name	DCN	FY	Арргор.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP005	2004	TR2B	1A00R	302DD2C	2507	0143RA01	. C003.	90,000
	RAP011	2004	Т	1A00R	302DD2C	2507	0143RA01	C003	5,000,000
			,				<b>V</b>		5,090,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-96-94018901 - F Part II - Approved Budget **EPA IAG Identification Number** DW-96-94018901 - F 22. Budget Categories Itemization of Itemization of Total Project This Action **Estimated Cost to Date** (a) Personnel \$500,000 \$11,420,700 (b) Fringe Benefits 90 (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$0 (f) Procurement / Assistance \$4,590,000 \$71,136,019 (g) Construction \$0 (h) Other \$0 (i) Total Direct Charges \$5,090,000 \$82,556,719 (j) Indirect Costs: Rate % Base \$ (EPA Share 100.00 %) (k) Total (Other Agency Share 0.00 %) \$5,090,000 \$82,556,719 (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Yes No Grant Cooperative Agreement Procurement Type of Extramural Agreement Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) Foster Wheeler Total. \$71,136,019.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: Repayment Monthly Upon Completion of Work Quarterly Only available for use by Federal agencies on working capital fund or with appropriate justification of need Advance for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center; EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Allocation Transfer-Out Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

Advance
Allocation Transfer-In

Funding Agency's Treasury Symbol
One-Year
Two-Year
Other Agency's IAG Identification Number
EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number)
Other Agency's Billing Instructions and Frequency

Reimbursement Agreement

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

Repayment

EPA IAG Identification No.DW-96-94018901 - F Page 3

### **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - F 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office: Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office 31. Signature Typed Name and Title Date Susan Studlien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency 32. Signature Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt. Authorizing Official on Behalf of the Other Agency 33. Signature Typed Name and Title

Mark J. Otis, Chief, Environmental Project Management Branch

EPA Form 1610-1 (Rev. 10/88) Previous editions are obsolete.

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United States Environmental Protection Agency Washington, DC 20460

EPA IAG Identification Number DW-96-94018901 - G

ame and Address of Other Agency Corps of Engineers-Omaha HTRW CX 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number Interagency Agreement

5. Program Office **Abbreviation** 

Amendment Part 1 - General Information Type of Action Augmentation: Increase Region 1

6. Name and Address of EPA Organization US Environmental Protection Agency

Contracts Management Section, HBS

1 Congress Street, Suite 1100

2585 West Center Road

DUNS: DOD961316

Boston, MA 02114-2023

maha, NE 58144-3869

DUNS: 029128894

8. Project Title and Description Remedial Action for clean-up of Lipper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

Increase Funding 9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo

1 Congress Street, Suite 1100

Boston, MA 02114-2023

817-918-1425

Other Agency Project Officer (Name, Address, Phone Number)

arvene Seaman

565 West Center Road

naha, NE **6**8144-3869

4 2-697-2425

11. Project Period

02/01/99 to 01/31/2007

12. Budget Period

01/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryli Scott 617-918-1174

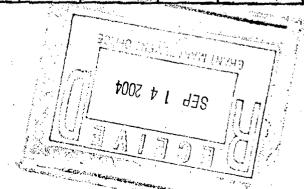
15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CEDOLA: Saco 105/AVALE 115

	_11	·
Previous Amount	Amount This Action	Amended Total
\$82,556,719	\$113,541	\$82,670,260
\$0		. \$0
\$0		. \$0
\$0		\$0
\$62,666,718	\$113,541	\$82,670,260
	\$82,556,719 \$0 \$0 \$0	\$82,556,719 \$113,541 \$0 \$0 \$0

21 Fiscal

					10 - 410				l
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Sita/Project	Cost Org.	Obligation
	RSP006	2004	TR1	1A00R	302DD2C	2507	0143RA01	C003	87,773
	RUP013	2004	TR2	1A00R	302DD2C	2507	0143RA01	C003	
	RUP013	2004	TR2B	1A00R	B02DD2C	2507	0143RA01		
					M		and the state of t		113,541

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EPA IAG Mentification No. DW-98-94018901 - G Page 2 EPA IAG Identification Number Part II - Approved Budget DW-96-94018901 - G temization of Total Project 22. Sudget Categories temization of This Action Estimated Cost to Date \$11,420,700 (a) Personnel (b) Fringe Banefits \$0 (c) Travel \$0 (d) Equipment \$0 (e) Supplies (f) Procurement / Assistance 8113,541 \$71,249,560 (g) Construction ŝn (h) Other \$113,541 \$82,670,260 (i) Total Direct Charges (i) Indirect Costs: Rate % 80 (k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$113,541 \$82,670,260 23. Is aquipment authorized to be furnished by EPA or leased, purchas d, or rented with EPA funds? 🔲 Yes 🖾 No (Identify all equipment costing \$1,000 or more) Yes No 24. Are any of those funds being used on extremural agreements? (Seditem 22f.) Grant Cooperative Agreement Procurement Type of Extramural Agreement Contractor/Recipient Name (if known) Total Extramural Anjount Under This Project Percent Funded by EPA (if known) Foster Wheeler Total \$71,249,560.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, DH 45268-7002: Disbursement Agreement Monthly. Repayment Quarterly Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost roports will be convented to the Financial Management Center, EPA, Cincinnati, OH Advance 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Confettoffer, Budget Division, Budget Formulation and Control Branch, EPA Hiddrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. Allocation Transfer-Out \_ Raimbursement Agreament Repayment Advance Affocation Transfer-In unding Agency's Treasury Symbol One-Year Two-Year No-Year ther Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. ther Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing instructions and Frequency 4 Form 1510-1 (Rev. 10-88). Previous editions are obsolete

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· #1	
	EPA IAG Memtification No.DW-96-94018901 - Q Page 3
Part IV - Acceptance Conditions	EPA Identification Number
4 mit is - Wadahiminga application	DW-96-94018901 - G
	NA-40-040-10401 + Q
27, General Conditions	
The other agency covenants and agrees that it will expeditiously initiate have been ewarded under this agreement.	and complete the project for which funds
28. Special Conditions (Attach additional sheets if needed)	
Part V - Offer	nd Acceptance
Mote: 1) For Disbursament actions, the agreement/amendment must be	gned by the other agency official in duplicate and one original returned to the
Grants Administration Division for Headquarters agreements of to the appli	notate EPA Regional IAG administration office within 3 calendar weeks after pernent/amendment must be forwarded to the address cited in item 29 after
sociation of within any extension or time as risky be granted by Erry. The agreecestance signature.	servetinatilenditient linet pa terudiaen in ne adrides ente in iteni 50 arial
Receipt of a written refuse! or failure to return the properly executed docume	It within the prescribed time may result in the withdrawal of offer by EPA. Any
change to the agreement/amendment by the other agency subsequent to th	within the prescribed time may result in the withdrawal of offer by EPA. Any document being signed by the EPA Action Official, which the Action Official
determines to meterially siter the agreement/amendment, shall void the agree	19
<ol> <li>For Reimbursement actions, the other agency will initiate the action and to office for signature. The agreements/amendments will then be forwarded to</li> </ol>	ward two original agreements/amendments to the appropriate EPA program the appropriate EPA IAG administration office for acceptance signature on
behalf of the EPA. One original copy will be returned to the other agency after	acceptance.
EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
28. Organization/Address	30. Organization/Address
US EPA R1	US Environmental Protection Agency
Grants Management Office	Region 1
1 Congress Street, Suite 1100	1 Congress Street, Sulle 1100
Boston, MA 02114-2023	Boston, MA 02114-2023
Certif	idation
All signers certify that the statements made on this fi	ore and all attachments thereto are true, accurate, and
complete. Signers acknowledge that any knowingly fine or imprisonment or both under applicable law.	false or misleading statements may be punishable by
	one ant Protection Agency Program Office
31. Bignature 7 Typed Name and Title	Date
	of Site Remediation & Restoration 9-/-0.4
	virginite Remediation & Restoration
72. Signature Typed Name and Title	
	Date
	Office of Administration and Resource Mgms. 9-3-04
	Behalf of the Other Agency
3 Signature Mame and Title	Onte /
	mme trail Project Management Branch 9/14/04
A Form 1810-1 (Rev. 19-88) Previous editions are obsolete.	
U	#\\

Page 1



#### **United States Environmental Protection Agency** Washington, DC 20460

# **Interagency Agreement**

# Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - H

4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action Augmentation: Increase Region 1

6. Name and Address of EPA Organization US Environmental Protection Agency

Contracts Management Section, HBS

1 Congress Street, Suite 1100

Boston, MA 02114-2023

DUNS: 029128894

7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX

12565 West Center Road

Omaha, NE 68144-3869

**DUNS: DOD961316** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at

New Bedford Superfund Site, New Bedford, MAD980731335.

Add additional \$1,949,842 in funding to agreement.

9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo

1 Congress Street, Suite 1100

Boston, MA 02114-2023

617-918-1425

11. Project Period 02/01/99 to 01/31/2007

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road

Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/99 to 01/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type Federal Agency

		,,
Previous Amount	Amount This Action	Amended Total
\$82,670,260	\$1,949,842	\$84,620,102
\$0		\$0
\$0		\$0
\$0		\$0
\$82,670,260	\$1,949,842	\$84,620,102
	\$82,670,260 \$0 \$0 \$0	\$82,670,260 \$1,949,842 \$0 \$0 \$0

	21. Fiscal								
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RSP007	2004	TR1	1A00R	302DD2C	2507	0143RA01	C003	1,949,842
									1,949,842

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-96-94018901 - H Page 2

Part	II - Approved Budget		EPA IAG Identification Number
			DW-96-94018901 - H
22. Budget C	Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel			\$11,420,700
(b) Fringe Benefits			\$0
(c) Travel			\$0
(d) Equipment		<del> </del>	<u>\$0</u>
(e) Supplies			\$0
(f) Procurement / Assistance		\$1,949,842	\$73,199,402
(g) Construction			\$0
(h) Other			\$0
(i) Total Direct Charges		\$1,949,842	\$84,620,102
(j) Indirect Costs: Rate % Base \$		\$0	\$0
(k) Total (EPA Share 100.00 %) (Othe	r Agency Share 0.00 %)	\$1,949,842	\$84,620,102
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 c	or more)		Yes⊠ No
24. Are any of these funds being used on		Yes_ No	N
	Grant Cooperative Agreement		□ Procurement     □ P
Contractor/Recipient Name (if known)	Total Extramural Amount Unde		Percent Funded by EPA (if known)
Foster Wheeler		73199402 Total \$ 73,199,402.00	100
P	art III - Funding Methods and Bill		
25.	(Note: EPA Agency Location Co		27)
Disbursement Agreement	Request for repayment of actual costs in	nust be itemized on SF	1080 and submitted to the Financial
Repayment	Management Office, Cincinnati, OH 45268-  Monthly  Quarterly	_	on Completion of Work
Advance	Only available for use by Federal agencies for this type of payment method. Unexp Quarterly cost reports will be forwarded 45268-7002.	ended funds at comple	tion of work will be returned to EPA.
Allocation Transfer-Out	Used to transfer obligational authority or tr approval by the Office of Comptroller, B Hdqtrs. Forward appropriate reports to the Division, PM-226F, EPA, Washington, DC	udget Division, Budget Financial Reports and A	Formulation and Control Branch, EPA
26. Reimbursement Agreement			
Repayment			
Advance			
Allocation Transfer-In			
Funding Agency's Treasury Symbol	One-Year Two-Y	ear No-	-Year
Other Agency's IAG Identification Number		EPA Program Office A	llowance Holder/Resp. Center No.
Other Agency's Billing Address (include Al		Other Agency's Billing	g Instructions and Frequency
EPA Form 1610-1 (Rev. 10-88). Previous editions are	obsolete		

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			EPA IAG identificatio	n No.DW-96-84018901 - H	Page 3
Part IV - A	cceptance Condition			EPA Identification Numb	er
				DW-96-940189	01 - 14
27. General Conditions					
The other agency covenants and agrees the have been awarded under this agreement.	it it will expeditiously initiate	and	complete the project for which	funda	
28. Special Conditions (Attach additional she	sets if needed)				
	Part V - Offer	and	Acceptance		
Note: 1) For Disbursement actions, the agree Grants Administration Division for Headquarters receipt or within any extension of time as may acceptance signature.	s agreements or to the apr be granted by EPA. The a	opri:	ate EPA Regional IAG adminis ment/amendment must be forw	stration office within 3 caler rarded to the address cited	in item 29 after
Receipt of a written refusel or failure to return the change to the agreement/amendment by the of determines to materially after the agreement/ament	her agency subsequent to 🛊	de de	ocument being signed by the E	esult in the withdrawal of of PA Action Official, which th	ffer by EPA, Any ne Action Official
For Reimbursement actions, the other agent office for signature. The agreements/amendme behalf of the EPA. One original copy will be returned.	ints will then be forwarded	b th	e appropriate EPA (AG admini	nendments to the appropria stration office for acceptar	ite EPA program nce signature on
EPA IAG Administration Office (for administr	ative assistance)		EPA Program Office (for tec	hnical assistance)	
29, Organization/Address			30. Organization/Address		
US EPA R1	•		US Environmental Protect	tion Agency	
Grants Management Office			Region 1		٠.
1 Congress Street, Suite 1100 Boston, MA 02114-2023	•		1 Congress Street, Suite Boston, MA 02114-2023	1100	
	•		BOSION, MIA 02114-2023		
		₩_	<u> </u>		·
complete. Signers ack	Certine statements made on this nowledge that any knowing both under applicable law.	ım	ITION and all attachments thereto an se or misleading statements ma	s true, accurate, and sy be punishable by	
Decision Offi	cial on Behalf of the Envir	dom	ent Protection Agency Progr	am Office	
31, Signature	Typed Name and Title		Site Remediation & Restoration		Date
# / (/W-1-2)	Action on Behalf of the En	911			9-2204
	Typed Name and Title	-	- Marie I offensi vilatel	· · · · · · · · · · · · · · · · · · ·	Date
12-Bignature Wells for		cinc	e of Administration and Resoul	rce Mgmt.	9-22-4
11	Authorizing Official on	_1)			-L
33. Signature	Typed Name and Title	╫	<del></del>		Date
IN KINNIG WAY	Mark J. Otls, Chief, Enviro	orm	ental Project Management Bran	ich	9-23-04
EPA Form 1610-1 (RayL-10-88) Previous aditions are of	bsolete.				

OPTIONAL FORM 99 (7-90) # of pages > 2 FAX TRANSMITTAL GENERAL SERVICES ADMINISTRATION 5099-101 NSN 7540-01-317-7368

**United States Environmental Protection Agency** Washington, DC 20460

**Interagency Agreement** 

Amendment

Part 1 - General Information

#### 1. EPA IAG Identification Number DW-96-94018901 - I

4. Funding Location by Region EPAR1

2. Other Agency IAG ID Number

5. Program Office **Abbreviation** 

3. Type of Action

Augmentation: Increase

11 96940189-01-

Region 1

6. Name and Address of EPA Organization

**US Environmental Protection Agency** Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023

**DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

**DUNS: DOD961316** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Increase Funding. Extend Project and Budget Period;

9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425

11. Project Period 02/01/99 to 10/31/2007 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425

12. Budget Period

02/01/99 to 10/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total	
16. EPA Amount	\$84,620,102	\$36,559	\$84,656,661	
17. EPA In-Kind Amount	\$0		\$0	
18. Other Agency Amount	\$0	6	\$0	
19. Other Agency In-Kind Amt.	\$0		\$0	
20. Total Project Cost	\$84,620,102	\$36,559	\$84,656,661	

	•			2	1. Fiscal				
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RUP001	2005	TR2B	1A00R	302DD2C	2507	0143RA01	C003	36,559
	<u> </u>		470		i		Parkers		36,55 <b>9</b>

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



EPA IAG Identification No. DW-96-94018901 - I Page 2 **EPA IAG Identification Number** Part II - Approved Budget DW-96-94018901 - I 22. Budget Categories Itemization of Itemization of Total Project **This Action Estimated Cost to Date** (a) Personnel \$11,420,700 (b) Fringe Benefits \$0 (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$0 (f) Procurement / Assistance \$36,559 \$73,235,961 (g) Construction (h) Other \$0 \$84,656,661 (i) Total Direct Charges \$36,559 (i) Indirect Costs: Rate % Base \$ (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$36,559 \$84,656,661 (k) Total No. 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) M Procurement Type of Extramural Agreement Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) Foster Wheeler Total. \$ 73,235,961.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) 25. Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: Repayment Monthly Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

		EPA IAG Identification	on No.DW-96-94018901 - I Page 3		
Part IV - A	cceptance Conditions		EPA Identification Number		
<u></u>			─ DW-96-94018901 - I		
27. General Conditions					
The other agency covenants and agrees tha have been awarded under this agreement.	it it will expeditiously initiate and	I complete the project for which	funds		
28. Special Conditions (Attach additional she	eets if needed)	,			
				٠,	
				vi	
Note: 1) For Disbursement actions, the agree	Part V - Offer and		in duplicate and one original returned to the		
Grants Administration Division for Headquarters	s agreements or to the appropr	iate EPA Regional IAG adminis	tration office within 3 calendar weeks after	r	
receipt or within any extension of time as may acceptance signature.	be granted by EPA. The agree	ment/amendment must be forward	arded to the address cited in item 29 afte	r	
Receipt of a written refusal or failure to return the	e properly executed document:	within the prescribed time may r	esult in the withdrawal of offer by EPA. An	,	
change to the agreement/amendment by the oti	her agency subsequent to the d	document being signed by the B			
determines to materially alter the agreement/am	•	•			
<ol><li>For Reimbursement actions, the other agenc office for signature. The agreements/amendme</li></ol>	by will initiate the action and forvents will then be forwarded to the	vard two original agreements/arr he appropriate EPA IAG admini	nendments to the appropriate EPA program istration office for acceptance signature or	۱ ۱ ،	
behalf of the EPA. One original copy will be retu					
EPA IAG Administration Office (for administra	ative assistance)	EPA Program Office (for tech	h <b>nical</b> assistance)		
29. Organization/Address	~	30. Organization/Address			
us EPA R1	•	US Environmental Protect	tion Agescv		
.Grants Management Office		Region 1			
1 Congress Street, Suite 1100	•	1 Congress Street, Suite 1100			
Boston, MA 62714-2023		Boston, MA 02114-2023	•		
eg.		•			
All signers certify that th	Certificate on this form	<b>ation</b> n and all attachments thereto are	a true accurate and	.	
		lse or misleading statements ma			
fine or imprisonment or	both under applicable law.		·		
		nent Protection Agency Progra	am Office		
31. Signature	Typed Name and Title	,	Date		
Swam Studius		Site Remediation & Restoration	01/07/3	25	
	Action on Behalf of the Enviro	onment Protection Agency			
32. Signature	Typed Name and Title		Date		
70-2	James T. Owens, III, Dir. Offic	ce of Administration and Resour	ce Mgmt. I / re/ 68		
// // // //	Authorizing Official on Beh	nalf of the Other Agency			
33. Signature	Typed Name and Title	, , , , , , , , , , , , , , , , , , ,	Date		
1 WWW A CAN	Mark J. Otis. Chief, Environm	ental Project Management Bran	ch 1/2///	15	

EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.

		Ow 469 40189-01	∼ J Page 1				
S. M. E.	United States Environmental Protection Agency Washington, DC 20460	1. EPA IAG Identification Number DW-96-94018901 - J	4. Funding Location by Region EPA R1				
Int	teragency Agreement	2. Other Agency IAG ID Number	5. Program Office Abbreviation				
Pa	Amendment art 1 - General Information	3. Type of Action  Augmentation: Increase	Region 1				
6. Name and Address of EPA Org US Environmental Protection As Contracts Management Section 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894	gency	7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869  DUNS: DOD961316					
8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Major (Amendment Req.); Increase in funds to support existing scope of work							
9. EPA Project Officer (Name, Add Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425	dress, Phone Number)	10. Other Agency Project Officer (Name, Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425	Address, Phone Number)				
11. Project Period 02/01/99 to 10/31/2007		12. Budget Period 02/01/99 to 10/31/2007	MAR 2.4. 2005				
13. Scope of Work Please refer to existing Scope of EPA Grants Specialist for this IA	Work G is Cheryll Scott 617-918-1174	G	GRANT MANAGEMENT OFFICE				
14. Statutory Authority for Both To CERCLA: Secs. 105(A)(4) & 115	ransfer of Funds and Project Activ		15. Other Agency Type Federal Agency				
Funds	Previous Amount	Amount This Action	Amended Total				
16. EPA Amount	\$84,656,661	\$4,585,000	\$89,241,661				
17: EPA In-Kind Amount	\$0		\$0				
18. Other Agency Amount	\$0		\$0				
19. Other Agency In-Kind Amt.	\$0	<i>C</i>	\$0				
20. Total Project Cost	\$84,656,661	\$4,585,000	\$89,241,661				
	<u> </u>	21. Fiscal					

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

Approp.

2005

Budget Org.

1A00R

DÇN

RAP002

Site Name

Provious Increosed Revised

Revised

Revised

1,420,700 350,000 11,770,700

Direct Fund lite: 73,235,961 4,235,000 77,470,961

PRC

302DD2C

Object

2507

Site/Project

0143RA01

Cost Org.

C003

Obligation

4,585,000 4,585,000

EPA IAG Identification No. DW-96-94018901 - J Page 2

Part	II - Approved Budget		EPA IAG Identification Number		
	·		DW-96-94018901 - J		
22. Budget C	Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date		
(a) Personnel		\$350,000	\$11,770,700		
(b) Fringe Benefits			\$0		
(c) Travel			\$0		
(d) Equipment			\$0		
(e) Supplies			\$0		
(f) Procurement / Assistance		\$4,235,000	\$77,470,961		
(g) Construction		•	\$0		
(h) Other		·	\$0		
(i) Total Direct Charges		\$4,585,000	\$89,241,661		
(j) Indirect Costs: Rate % Base \$		\$0	\$0		
(k) Total (EPA Share 100.00 %) (Other	r Agency Share 0.00 %)	\$4,585,000	\$89,241,661		
23. Is equipment authorized to be furnishe (Identify all equipment costing \$1,000 o 24. Are any of these funds being used on e	or more)		⊠ No		
	axtramurai agreements (See item 221.)	∠ Tes	Ma		
Type of Extramural Agreement		Total Control	⊠ Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Und	er This Project 77470961	Percent Funded by EPA (if known)		
Foster Wheeler		Total. \$ 77,470,961.00	•		
	art III - Funding Methods and Bi				
25.	(Note: EPA Agency Location C				
☐ Disbursement Agreement ☐ Repayment	Management Office, Cincinnati, OH 45268-7002:				
, E					
	Used to transfer obligational authority or approval by the Office of Comptroller, Industrial Hdqtrs. Forward appropriate reports to the Division, PM-226F, EPA, Washington, DC	Budget Division, Budget e Financial Reports and A	Formulation and Control Branch, EPA		
26.		e e			
Funding Agency's Treasury Symbol					
Other Agency's IAG Identification Number		EPA Program Office A	llowance Holder/Resp. Center No.		
		Other Agency's Billing Instructions and Frequency			
Other Agency's Billing Address (include AL	.C or Station Symbol Number)	Other Agency's Billing	g Instructions and Frequency		

EPA IAG Identification No.DW-96-94018901 - J Page 3 Part IV - Acceptance Conditions **EPA Identification Number** DW-96-94018901 - J 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA Program Office (for technical assistance) EPA IAG Administration Office (for administrative assistance) 30. Organization/Address 29. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office 31. Signature Typed Name and Title Date Susan Studlien, Dir. Office of Site Remediation & Restoration Swan Action on Behalf of the Environment Protection Agency 32. Signature Typed Name and Title

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

Mark J. Otls, Chief, Environmental Project Management Branch

Authorizing Official on Behalf of the Other Agency

Typed Name and Title

EPA Form 1610-1 (Rev 10/88) Previous editions are obsolete.

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96940)89-01-K

**United States Environmental Protection Agency** Washington, DC 20460

# **Interagency Agreement**

# **Amendment** Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - K 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office **Abbreviation** Region 1

3. Type of Action

No Cost Amendment

7. Name and Address of Other Agency

Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

**DUNS: DOD961316** 

6. Name and Address of EPA Organization **US Environmental Protection Agency** 

Contracts Management Section, HBS

1 Congress Street, Suite 1100 Boston, MA 02114-2023

DUNS: 029128894

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

This amendment approves an object class rebudgeting.;

9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023

617-918-1425

02/01/1999 to 10/31/2007

11. Project Period

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road Omaha, NE 68144-3869

402-697-2425

12. Budget Period

02/01/1999 to 10/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is Cheryll Scott 617-918-1174

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type

CERCLA: Secs. 105(A)(4) & 115	rederal Agency		
Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$89,241,661	\$0	\$89,241,661
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$89,241,661		\$89,241,661

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
				,					
į	. [								

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



EPA IAG Identification No. DW-96-94018901 - K Part II - Approved Budget **EPA IAG Identification Number** DW-96-94018901 - K 22. Budget Categories Itemization of Itemization of Total Project This Action **Estimated Cost to Date** \$12,370,700 (a) Personnel \$600,000 (b) Fringe Benefits \$0 (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$-600,000 \$76,870,961 (f) Procurement / Assistance g) Construction (h) Other \$0 \$89,241,661 (i) Total Direct Charges \$0 \$n (j) Indirect Costs: Rate % Base \$ (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$0 \$89,241,661 (k) Total ⊠ No 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Procurement Type of Extramural Agreement Percent Funded by EPA (if known) Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Foster Wheeler Total. \$ 76,870,961.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on: SF/ 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: Repayment Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

	•		·	
	<u> </u>	EPA IAG Identification	No.DW-96-94018901 - K	Page 3
Part IV - Ac	ceptance Conditions		EPA Identification Num	ber
	,	. }	DW-96-940189	901 - K
27. General Conditions			<del></del>	
The other agency covenants and agrees that have been awarded under this agreement.	it will expeditiously initiate and	d complete the project for which fu	ınds	
28. Special Conditions (Attach additional shee	its if needed)		<del> </del>	
		• .		-
		•		
	Part V - Offer and	d Acceptance		
<b>Note:</b> 1) For Disbursement actions, the agreem Grants Administration Division for Headquarters receipt or within any extension of time as may be acceptance signature.	agreements or to the appropr	riate EPA Regional IAG administr	ration office within 3 cale	ndar weeks after
Receipt of a written refusal or failure to return the change to the agreement/amendment by the othe determines to materially alter the agreement/ame	er agency subsequent to the d	document being signed by the EP/		
<ol><li>For Reimbursement actions, the other agency office for signature. The agreements/amendmen behalf of the EPA. One original copy will be return</li></ol>	its will then be forwarded to t	the appropriate EPA IAG administ		
EPA IAG Administration Office (for administrat	ive assistance)	EPA Program Office (for techn	nical assistance)	
29. Organization/Address		30. Organization/Address		,
US EPA R1		US Environmental Protection	on Agency	
Grants Management Office		Region 1	off Agency	
1 Congress Street, Suite 1100		1 Congress Street, Suite 1	100	
Boston, MA 02114-2023	•	Boston, MA 02114-2023		
	Certific	<u> </u>	<del></del>	
complete. Signers acknowledge.	statements made on this form	ation m and all attachments thereto are alse or misleading statements may		
Decision Offici	ial on Behalf of the Environ	ment Protection Agency Progra	m Office	
31. Signature	Typed Name and Title			Date /
( Carry lite a 53	Susan Studlien, Dir. Office of	f Site Remediation & Restoration		4/21/05
	ction on Behalf of the Envir	onment Protection Agency		
32. Signature	Typed Name and Title			Date
	James T. Owens, III, Dir. Off	fice of Administration and Resourc	ce Mgmt.	APR 2 2 ZX

Authorizing Official on Behalf of the Other Agency

Mark J. Otis, Chief, Environmental Project Management Branch

Typed Name and Title

Date 4-22-05

EPA Form 1610-1 (Rev. 19/88) Previous editions are obsolete.

IGMS 7.1.05 CC: PO CMCMFM OW 96940188-01-L Page 1

3,915,000

United States Environmental 1. EPA IAG Identification Number 4. Funding Location by Region Protection Adancy DW-96-94018901 - L EPA RĪ Washington, DC 20460 Interagency Agreement 2. Other Agency IAG ID Number 5. Program Office **Abbreviation** Amendment 3. Type of Action Region 1 Augmentation: Increase Part 1 - General Information 6. Name and Address of EPA Organization 7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX US Environmental Protection Agency Contracts Management Section, HBS 12505 West Center Road 1 Congress Street, Suite 1100 Omaha, NE 68144-3869 Boston, MA 02114-2023 DUNS: 029126894 DUNS: DOD961316 8. Project Title and Description Remedial Action for dean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment adds \$3,915,000 funds. It changes the Grants Specialist to Mary-Ellen Stanis 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Marvehe Seaman 1 Congress Street, Stills 1100 12565 West Center Road Baston, MA 02114-2023 Omaha, NE 68144-3869 617-918-1425 402-697-2425 11. Project Period 12. Budget Period 02/01/1999 to 10/31/2007 02/01/1999 to 10/31/2007 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stants 617-918-1173 14. Statutory Authority for Both Transfer of Funds and Project Activities: 15. Other Agency Type Federal Agency CERCLA: Secs. 105(A)(4) & 115 Funds Previous Amount Amount This Action Amended Total 16. EPA Amount \$89,241,661 \$3,915,000 \$93,150,661 17. EPA In-Kind Amount 50 **S**O \$0 18. Other Agency Amount 50 19. Other Agency In-Kind Amt. \$0 \$0 \$89,241,661 20. Total Project Cost \$3,915,000 \$93,156,601 21. Fiscal Site Name DCN Approp. Budget Org. PRC Object Site/Project Cost Org. Obligation RAP005 2005 1A00R 302DD2 2507 0143RA01 C003 3,915,000

EPA Form 1010-1 (Rev. 10-86). Previous aditions are obsolets.



EPA IAG Identification No. DW-98-94018901 - L Page 2 EPA IAG Identification Number Part II - Approved Budget DW-96-94018901 - L temization of Itemization of Total Project 22. Budget Categories This Action Estimated Cost to Date \$415,000 512,785,700 (a) Personnel (b) Fringe Benefits 50 (c) Travel 50 (d) Equipment (e) Supplies \$3,500,000 \$80,370,961 (f) Procurement / Assistance (a) Construction (h) Other 90 \$3,915,000 \$93,156,661 (i) Total Direct Charges (I) Indirect Costs: Rate % (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$93,156,661 ⊠ No 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See item 22f.) ⊠ Yes Type of Extramural Agreement Procurement Contractor/Recipient Name (If known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) oster Wheeler 80370961 Total \$ 60,370,961.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: Disbursement Agreement Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexperided funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hddtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Tressury Symbol Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly

EPA Form 1610-1 (Kev. 10-88), Previous editions are obsoists

EPA IAG identification No.DW-96-84018901 - L Page 3 **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - L 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this adreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature. Receipt of a written refusal or fallure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official detarrilines to materially after the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will inlitate the action and forward two original agreements/amendments to the appropriate EPA program office for algnature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance algnature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA Program Office (for technical assistance) EPA IAG Administration Office (for administrative assistance) 29, Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Susan Studien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency 32, Signature Typed Name and Title James T. Owens, III. Dir. Office of Administration and Resource Momit. Authorizing Official on Behalf of the Other Adency Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch EPA Form 1810-1 (Rev./10-86) Previous editions are obsolete.

FAX TRANSMIT	TAL	# of pages
Flomena DiNardo	FromMark	k 0/1
Dept./Agency.	Phone #27	2 3/0

GENERAL SERVICES ADMINISTRATION

DW-96-94018901 - M

Funding Location by Region EPA R1

Washington, DC 20460 Interagency Agreement

**United States Environmental** 

Protection Agency

Amendment Part 1 - General Information 2. Other Agency IAG ID Number

5. Program Office Abbreviation

3. Type of Action Augmentation: Increase

1. EPA IAG Identification Number

Region 1

6. Name and Address of EPA Organization US Environmental Protection Agency

Contracts Management Section, HBS

1 Congress Street, Suite 1100 Boston, MA 02114-2023

**DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

**DUNS: DOD961316** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

This amendment adds \$6,550,000 funds.

9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo

1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425

11. Project Period 02/01/1999 to 10/31/2007 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman 12565 West Center Road

Omaha, NE 68144-3869 402-697-2425

12. Budget Period 02/01/1999 to 10/31/2007

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type

CERCLA: Secs. 105(A)(4) & 115			receral Agency	
Funds	Previous Amount	Amount This Action	Amended Total	
16. EPA Amount	\$93,156,661	\$6,550,000	\$99,706,661	
17. EPA In-Kind Amount	\$0		\$0	
18. Other Agency Amount	\$0		\$0	
19. Other Agency In-Kind Amt.	\$0		\$0	
20. Total Project Cost	\$93,156,661	\$6,550,000	\$99,706,661	

21. Fiscal Site Name DCN Budget Org. PRC Approp. Object Site/Project Cost Org. **Obligation RAP009** 2005 1A00R 302DD2C 2507 0143RA01 C003 6,550,000 6,550,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

Revised Reimburdable: Officer Fund Coto

Previous Amt Increme Revised Ams
12,785,700 450,000 13,235,700
10,370,961 6,100,000 86,470,961

9783188891

EPA IAG Identification No. DW-96-94018901 - M **EPA IAG Identification Number** Part II - Approved Budget DW-96-94018901 - M Itemization of Total Project Itemization of 22. Budget Categories **Estimated Cost to Date** This Action \$450,000 \$13,235,700 (a) Personnel (b) Fringe Benefits \$0. (c) Travel <u>\$0</u> (d) Equipment (e) Supplies \$6,100,000 \$86,470,961 (f) Procurement / Assistance (g) Construction \$0 **\$**0 (h) Other \$99,706,661 \$6,550,000 (i) Total Direct Charges (j) Indirect Costs: Rate % \$0 Base \$ \$99,706,661 \$6,550,000 (EPA Share 100.00 %) (Other Agency Share 0.00 %) ⊠ No. 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) ⊠ Yes Procurement Type of Extramural Agreement Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) Foster Wheeler 86470961 Total \$86,470,961.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Disbursement Agreement Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: **Repayment** Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol Other Agency's IAG Identification Number EPA Program Office Allowance HoldenResp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly PA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

EPA IAG Identification No.DW-96-94018901 - M Page 3

**EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - M 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or fallure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA Program Office (for technical assistance) EPA IAG Administration Office (for administrative assistance) 30. Organization/Address 29. Organization/Address US EPA R1 US Environmental Protection Agency **Grants Management Office** Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Susan Studlien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt. Authorizing Official on Behalf of the Other Agency Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch EPA Form 1610-1 (Rev/10-88) Previous editions are obsolete.

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United States Environmental Protection Agency Washington, DC 20460

Interagency Agreement

**Amendment** Part 1 - General Information 1. EPA IAG Identification Number DW-96-94018901 - N 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

5. Program Office **Abbreviation** 

3. Type of Action

Augmentation: Increase

Region 1

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS

1 Congress Street, Suite 1100. Boston, MA 02114-2023

DUNS: 029126894

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

**DUNS: DOD961316** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. Thius emendment adds \$4,152,043 to the funding

9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425

11. Project Period 02/01/1999 to 10/31/2007 10. Other Agency Project Office Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869 402-697-2425

12. Budget Period 02/01/1999 to 10/31/2007

Address, Phone Number) GRANT MANAGEMENT OFFICE OARM

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173

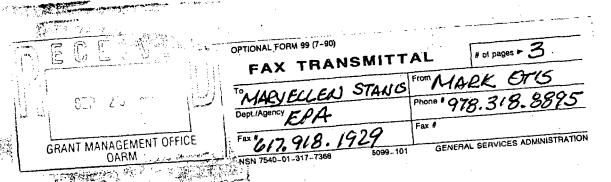
14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type Federal Agency

CEUCHY 2003: 105(V)(4) 01 112		·	, , , , , , , , , , , , , , , , , , , ,
Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$99,706,661	\$4,152,043	\$103,858,704
17. EPA In-Kind Amount	\$0		<b>\$0</b> 🦠
18. Other Agency Amount	\$0		\$0
19. Other Agency in-Kind Amt.	\$0		\$0
20. Total Project Cost	\$99,706,661	\$4,152,043	\$103,858,704

	21. Fiscal										
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation		
	RAP017 RAP017		TCD T	1A00R 1A00R	302DD2C 302DD2C	2507 2507	0143RA01 0143RA01	C003 C003	3,331,478 820,565		
									4,152,043		

EPA Form 1810-1 (Rev. 10-88). Previous editions are obsolete.



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617 918 1929 P.03

Da	rt II - Approved Budget	ÉPA IAG Identification No	EPA IAG Identification Number		
ra:	r II - Approved Budger		DW-96-94018901 - N		
22. Budget	Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date		
(a) Personnei		\$1,050,633	\$14,286,33		
(b) Fringe Benefits			\$		
(c) Travel			\$		
(d) Equipment			S		
(e) Supplies			S		
f) Procurement / Assistance		\$3,101,410	\$89,572,37		
g) Construction			\$		
h) Other			\$		
i) Total Direct Charges	· · · · · · · · · · · · · · · · · · ·	\$4,152,043	\$103,858,70		
i) Indirect Costs: Rate % Base \$		\$0	\$		
	er Agency Share 0.00 %)	\$4,152,043	\$103,858,70		
<ol> <li>Is equipment authorized to be furnish (Identify all equipment costing \$1,000</li> <li>Are any of these funds being used on</li> </ol>	or more)		⊠ No		
Type of Extramural Agreement		· · · · · · · · · · · · · · · · · · ·			
Contractor/Recipient Name (if known)	Total Extramural Amount	Under This Project	Percent Funded by EPA (if known)		
Foster Wheeler	·	89572371 Total, \$ 89,572,371.00	. 10		
	Part III - Funding Methods and	Billing Instructions			
25.	(Note: EPA Agency Location	1 Code (ALC) - 6801072	?7)		
<ul> <li>☑ Disbursement Agreement</li> <li>☑ Repayment</li> </ul>	Request for repayment of actual co Management Office, Cincinnati, OH 45 Monthly	sts must be itemized on SF 5268-7002:	1080 and submitted to the Financial		
	for this type of payment method. U	nexpended funds at complet	or with appropriate justification of need ion of work will be returned to EPA gement Center, EPA, Cincinnati, OH		
	approval by the Office of Comptrolle	er, Budget Division, Budget f	n Federal agencies. Must receive prior Formulation and Control Branch, EPA nalysis Branch, Financial Management		
<b>16.</b>	·				
		•	•		
unding Agency's Treasury Symbol	68-20X8145				
ther Agency's IAG Identification Number		EPA Program Office Al	lowance Holder/Resp. Center No.		
her Agency's Billing Address (include Al	C or Station Symbol Number)	Other Agency's Rulina	Instructions and Frequency		
		I	mon activite with Lizefatich		
		Monthly			

09/28/2005 16:20

5EP-28-2005 14:08

#### EPA IAG Identification No.DW-96-94018901 - N Page 3 **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - N The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the property executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other egency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially after the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Grants Management Office Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Sustan Studlien, Dir. Office of Site Remediation & Restoration Action on Behalf of the Environment Protection Agency Signature Typed Name and Title James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

Authorizing Official on Behalf of the Other Agency

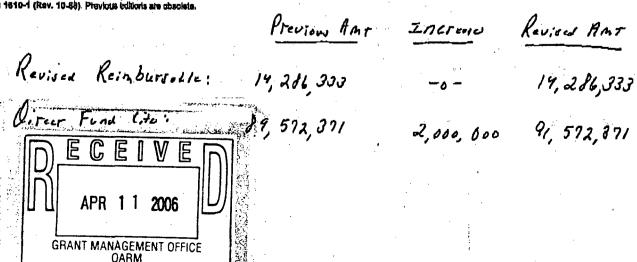
Mark J. Otis, Chief, Environmental Project Management Branch

Typed Name and Title

EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.

16ms- Mapril 06 cc: po concor Fin

WW 86940188- N-O 1. EPA IAG Identification Number United States Environmental 4. Funding Location by Region DW-98-94018901 - O Protection Agency EPA RÍ Washington, DC 20460 2. Other Adency IAG ID Number 5. Prodrem Office Interagency Agreement Abbreviation 3. Type of Action Region 1 Amendment Augmentation: Increase Part 1 - General Information 8. Name and Address of EPA Organization 7. Name and Address of Other Agency US Environmental Protection Agency Corps of Engineers-Omaha HTRW CX Contracts Management Section, HBS 12565 West Center Road 1 Congress'Street, Suite 1100 Omaha, NE 68144-3869 Boston, MA 02114-2023 DUNS: 029128894 **DUNS: DOD961318** 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Sita, New Bedford, MAD880731335. This amendment increases this IAG by \$2,000,000. It extends the project and budget periods. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Matverio Seaman 1 Congress Street, Suite 1100 12565 West Center Road Boston, MA 02114-2023 Omaha, NE 68144-3889 617-918-1425 402-897-2425 11. Project Period 12. Budget Period 02/01/1999 to 10/31/2008 02/01/1999 to 10/81/2008 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stants 817-918-1173 15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Funds Amended Total Previous Amount Amount This Action 15, EPA Amount \$103,858,704 \$2,000,000 \$105,658,704 17. EPA In-Kind Amount 50 SD 18. Other Agency Amount ŝô 19. Other Agency In-Kind Amt. \$0 \$105,858,704 20. Total Project Cost \$103,858,704 \$2,000,000 21. Fiscal Site Name DCN Site/Project Cust Org. Obligation Арргор, Budget Org. PRC Object RAP002 2006 1A00R 302DD2C 2507 0143RA01 C003 2,000,000 2.000.000 EPA Form 1610-1 (Rev. 10-88). Previous editoris are obsolete. Previous Amt Increase



(a) Personnel (b) Fringe Behefits (c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Rats % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence) 23. is equipment authorized to be furnished by Effective (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramulative of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler	proved Budget	Itemization of This Action	EPA IAG Identification Number  DW-96-94018901 - O  Itemization of Total Project Estimated Cost to Date  \$14,286,333
(a) Personnal (b) Fringe Behefits (c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Coats: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by Eff (Identify all equipment coating \$1,000 or more) 24. Are any of these funds being used on extramal Type of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler	98		Estimated Cost to Date \$14,286,333 \$0
(b) Fringe Behefits (c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by Effective (Identity all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramout type of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler			\$0
(c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. ta equipment authorized to be furnished by Eff (identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramoration of Extramoral Agreement Contractor/Recipient Name (if known) Foster Wheeler			
(d) Equipment  (e) Supplies  (f) Procurement / Assistance  (g) Construction  (h) Other  (i) Total Direct Charges  (j) Indirect Costs: Rate % Base \$  (k) Total (EPA Share 100.00 %) (Other Agence)  23. is equipment authorized to be furnished by Effective (Identify all equipment costing \$1,000 or more)  24. Are any of these funds being used on extramulation of Extramural Agreement  Contractor/Recipient Name (if known)  Foster Wheeler			\$0
(e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (i) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agenc 23. is equipment authorized to be furnished by EF (identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extrame Type of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler			
(f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by EF (identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramal Type of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler			\$0
(g) Construction (h) Other (i) Total Direct Charges (i) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by Eff (identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramout type of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler			\$0
(h) Other  (i) Total Direct Charges (j) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by EFA (identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramout type of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler		\$2,000,000	\$91,572,371
(i) Total Direct Charges (ii) Indirect Costs: Rate % Base \$ (ik) Total (EPA Share 100.00 %) (Other Agence 23. te equipment authorized to be furnished by EF (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramultype of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler			\$0
(i) Indirect Costs: Rate % Base \$ (k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by EF (Identify all equipment coating \$1,000 or more) 24. Are any of these funds being used on extramulation of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler			\$0
(k) Total (EPA Share 100.00 %) (Other Agence 23. is equipment authorized to be furnished by Eff (identify all equipment coating \$1,000 or more) 24. Are any of these funds being used on extramolype of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler		\$2,000,000	\$105,658,704
23. Is equipment authorized to be furnished by Efficientify all equipment coating \$1,000 or more) 24. Are any of these funds being used on extramulation of Extramural Agreement Contractor/Recipient Name (if known) Foster Wheeler		\$0	
(Identify all equipment coating \$1,000 or more)  24. Are any of these funds being used on extramulation of Extramural Agreement  Contractor/Recipient Name (if known)  Foster Wheeler	y Share 0.00 %)	\$2,000,000	\$105,858,704
Contractor/Recipient Name (if known) Foster Wheeler	·		⊠ No
Contractor/Recipient Name (if known) Foster Wheeler			
	Total Extramural Amou	int Under This Project	Percent Funded by EPA (If known)
		91572371 Total \$ 91,572,371.00	100
Part III ·	- Funding Methods a	nd Billing instructions	
25, (Not	e: EPA Agency Local	Hon Code (ALC) - 680107	27)
☐ Diabursement Agreement Request Manage ☐ Repayment ☐ Mo Only at for this	ement Office, Chicinnati, O phly vallable for use by Federal type of payment method fly cost reports will be for	H 45268-7002: agencies on working capital fund I. Unexpended funds at comple	tor with appropriate justification of need aton of work will be returned to EPA, agement Center, EPA, Cincinnati, OH
Used to approvi Hodita.	transfer obligational authority by the Office of Comp	Iroller, Budget Division, Budget to to the Financial Reports and A	en Federal agencies. Must receive prior Formulation and Control Branch, EPA Analysis Branch, Financial Management
26.		***	
Funding Agency's Treasury Symbol 68-20X	8145	1,	
Other Agancy's IAG Identification Number		EPA Program Office	Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Si	ation Symbol Number)	Other Agency's Billing	ig Instructions and Frequency
SPA Form 1610-1 (Rev. 10-88). Pravious editions are obscisus			

300S, 1 1 ASA

	EPA IAG Identification No.DW 98-94018901 - 0 Page 3
Part IV - Acceptance Cond	ittions EPA Identification Number
	DW-98-94018901 - O
27. General Conditions	
The other agency covenants and agrees that it will expeditiously have been awarded under this agreement.	initiate and complete the project for which funds
28. Special Conditions (Attach additional sheets if needed)	<u> </u>
•	
•	
Part V = 0	Offer and Acceptance
Note: 1) For Disbursement actions, the agreement/amendment in Grants Administration Division for Headquarters agreements or to ti receipt or within any extension of time as may be greated by EPA.	rust be algred by the other agency official in duplicate and one original returned to the the appropriate EPA Regional IAG administration office within 3 calendar weeks after. The agreement/amendment must be forwarded to the address cited in item 29 after.
acceptance signature.	description the agent that the many many is the until directly of effer by EDA. Any
change to the agreement/amendment by the other agency aubecque determines to materially after the agreement/amendment, shall void	document within the prescribed time may result in the withdrawal of offer by EPA. Any ent to the document being signed by the EPA Action Official, which the Action Official the agreement/amendment.
<ol> <li>For Reimbursement actions, the other agency will initiate the actioning for alignature. The agreements/amendments will then be followed for alignature. The agreements/amendments will then be followed for the EPA. One original copy will be returned to the other age.</li> </ol>	ion and forward two original agreements/ameridments to the appropriate EPA program varied to the appropriate EPA IAG administration office for acceptance alguature on ency after acceptance.
PA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical sesistance)
9. Organization/Address	30. Organization/Address
US EPA R1	US Environmental Protection Agency
Grants Management Office	Region 1
1 Congress Street, Suite 1100	1 Congress Street, Suite 1100
Boston, MA 02114-2023	Boston, MA 02114-2023
•	
	Certification
All signers certify that the statements made on complets. Signers acknowledge that any known that is both under applicate.	on this form and all attachments thereto are true, accurate, and nowingly false or misleading statements may be puhlahable by
Decision Official on Behalf of the	e Environment Protection Agency Program Office
31. Signaktre // A Typed Name and	Title Date 2 C
MANAY Susan Studien, DA	Title  4r. Office of Sits Remediation & Restoration  Date 5-28 to
Action on Behalf of	the Environment Protection Agency
32. Signature Typed Name and	Title Date,
James T, Owens,	III, Dir. Office of Administration and Resource Mgmt. 3/20/16
Authorizing Office	cial on Behalf of the Other Agency
33. Signature/ / / / / Typed Name and	Title Date
Now Will ( Heb Mark J. Olio, Chief	f, Environmental Project Management Branch 4-7-06
A Form 1810-1 (Rev. 10/88) Previous aditions are obsolete.	

Page 1



United States Environmental **Protection Agency** Washington, DC 20460

# **Interagency Agreement**

#### DW-96-94018901 - P 2. Other Agency IAG ID Number

1. EPA IAG Identification Number

4. Funding Location by Region EPA R1

Amendment

Part 1 - General Information

3. Type of Action

5. Program Office Abbreviation

Region 1

6. Name and Address of EPA Organization

**US Environmental Protection Agency** Contracts Management Section, HBS 1 Congress Street, Suite 1100

Boston, MA 02114-2023 **DUNS: 029128894** 

7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road

Augmentation: Increase

Omaha, NE 68144-3869

**DUNS: DOD961316** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

This amendment increases this IAG.

9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023

617-918-1425

10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman

12565 West Center Road Omaha, NE 68144-3869

402-697-2425

11. Project Period

02/01/1999 to 10/31/2008

12. Budget Period

02/01/1999 to 10/31/2008

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type

CERCLA: Secs. 105(A)(4) & 115		,		Federal Agency		
Funds	Previous Amount	Amount Thi	s Action	Amended Total		
16. EPA Amount	\$105,858,704	,	\$6,500,000	\$112,358,704		
17. EPA In-Kind Amount	\$0	· · · · · · · · · · · · · · · · · · ·		\$0		
18. Other Agency Amount	\$0			\$0		
19. Other Agency In-Kind Amt.	\$0			\$0		
20. Total Project Cost	\$105,858,704		\$6,500,000	\$112,358,704		

21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
}	RUP005	2006	TR2	1A00R	302DD2C	2507	0143RA01	C003	6,500,000
			ŀ		i		,		6,500,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

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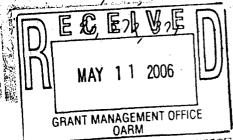
Increase

Rovised Amt

Revised Reinbutsobre Octat Fund C.ta

14,786,333

97, 572, 371



EPA IAG Identification No. DW-96-94018901 - P Page 2 Part II - Approved Budget **EPA IAG Identification Number** DW-96-94018901 - P 22. Budget Categories Itemization of Itemization of Total Project **This Action Estimated Cost to Date** \$500,000 (a) Personnel \$14,786,333 (b) Fringe Benefits \$0 (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$0 (f) Procurement / Assistance \$6,000,000 \$97,572,371 (g) Construction <u>so</u> (h) Other \$0 (i) Total Direct Charges \$112,358,704 \$6,500,000 (j) Indirect Costs: Rate % (k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$112,358,704 \$6,500,000 ⊠ No 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) 🛛 Yes Procurement Type of Extramural Agreement Contractor/Recipient Name (if known) **Total Extramural Amount Under This Project** Percent Funded by EPA (if known) Foster Wheeler 97572371 Total \$ 97,572,371.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: □ Repayment Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. **Funding Agency's Treasury Symbol** 68-20X8145 Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Instructions and Frequency

Monthly

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

Other Agency's Billing Address (include ALC or Station Symbol Number)

EPA IAG Identification No.DW-96-94018901 - P Page 3 EPA Identification Number Part IV - Acceptance Conditions DW-96-94018901 - P 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature. Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance. EPA IAG Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency **Grants Management Office** 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office 31. Signature Typed Name and Title

2/ Signature

Busan Studlien, Dir. Office of Site Remediation & Restoration

4-2506

Action on Behalf of the Environment Protection Agency

Typed Name and Title

Date

James T. Owens, III, Dir. Office of Administration and Resource Mgmt.

4/27/06

Authorizing Official on Behalf of the Other Agency

is. Signature

Typed Name and Title

Mark J. Otis, Chief, Environmental Project Management Branch

5-5-05

EPA Form 1610-1 (Rev. 10-\$8) Previous editions are obsolete.

OPTIONAL FORM 99 (7-90)

9783188891

FAX TRANSMITT	AL # of pages > 3
Filomena Dinardo	From Mark Of15
Dept./Agency	Phone 978.318.8895
ax # 6 17.918.0425	Fax #

CCIPO concon for

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION 196940108-01-6 4. Funding Location by Ragion 1. EPA IAG Identification Number United States Environmental DW-98-94018901 - Q EPA RÍ **Protection Agency** Washington, DC 25450 2. Other Agency IAG ID Number 5. Program Office Interagency Agreement Abbreviation 3. Type of Action Region 1 Amendment Augmentation: Increase Part 1 - General Information 7. Name and Address of Other Agency 6. Name and Address of EPA Organization Corps of Engineers-Omains HTRW CX US Environmental Protection Agency 12565 West Center Road Contracts Mahagement Section, HBS 1 Congress Street, Suite 1100 Omahe, NE 68144-3869 Boston, MA 02114-2023 DUNS: 029128894 DUNS: DODBB1916 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Herbor at New Bedford Superfund Site, New Bedford, MAD980791335. This amendment increases this IAG by \$5,100,000 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Marvene Seamen 12565 West Center Road 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Omahe, NE 68144-3869 617-918-1425 402-697-2425 11. Project Period 12. Budget Period 02/01/1099 to 10/31/2008 02/01/1999 to 10/31/2008 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanls 617-918-1173 16. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) 8 115 Funds Previous Amount noito Aela TrucmA Amended Total 18. EPA Amount \$112,358,704 \$5,100,000 \$117,458,704 17, EPA In-Kind Amount \$0 30 18. Other Agency Amount 60 ŝÒ 19. Other Agency In-Kind Amt. \$0 20. Total Project Cost \$112,958,704 \$5,100,000 \$117,458,704 21. Fiscal Site Name DCN Cost Org. Approp. Budget Org. PRC Oblact Site/Project Obligation **RAP009** 2006 1A00R 302DD2C 2507 D143RA01 5,100,000 C003 5,100,000

EPA Form 1610-1 (Rev. 10-98). Previous editions are obsolute.

Previous

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Revised Reimburunial: 14,786,333

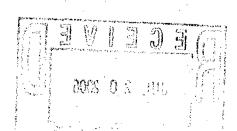
Direct Fund Cita: 97,572,371

102,572,371



07/20/2006 12:35

Part	EPA IAG Identification Number DW-98-94016901 - Q		
22. Budget C	alegories	itemization of This Action	itemization of Total Project Estimated Cost to Data
(a) Personnel		\$100.000	\$14,8 <del>8</del> 6,333
(b) Fringe Benefits			\$0
(c) Travel			50
(d) Equipment			\$0
(=) Supplies			\$0
(1) Procurement / Assistance		000,000,88	\$102,672,371
(g) Construction	1 .		\$0
(h) Other			\$0
(i) Total Direct Charges		\$5,100,000	\$117,458,704
(j) Indirect Costs: Rate % Sase \$		80	\$0
(k) Total (EPA Share 100.00 %) (Other	Agency Share 0.00 %)	\$5,100,000	\$117,488,704
23. le aquipment authorized to be furnishe (identify all equipment coating \$1,000 or	r more)		⊠ No
24. Are any of these funds being used on a	xtramurei sgreements? (See Item 22	f.) 🛭 Yes	
Type of Extramural Agreement			
Contractor/Recipient Name (if known)	Total Extramural Amount U	Percent Funded by EPA (If known)	
Foster Wheeler		102572371 Total, \$ 102,572,371.00	100
P <sub>i</sub>	art III - Funding Methods and B	Billing Instructions	
25.	(Note: EPA Agency Location		•
□ Repsyment	Request for repayment of actual cost Management Office, Cincinnati, OH 452 ☑ Monthly Only available for use by Federal agen	<del>268</del> -7002:	
	for this type of payment method. Un Quarterly cost reports will be forward 45266-7002.	expended funds at complet	ion of work will be returned to EPA.
	sporoval by the Office of Comptroller	, Budget Division, Budget if the Financial Reports and A	n Federal agencies. Must receive prior Formitiation and Control Branch, EPA nalysis Branch, Financial Management
26.			
Funding Agency's Treasury Symbol	68-20X8145		· · · · · · · · · · · · · · · · · · ·
Other Agency's IAG Identification Number		EPA Program Office A	lowance Holder/Resp. Center No.
Other Agency's Billing Address (Include AL	C or Station Symbol Number)	Other Agency's Billing	Instructions and Frequency
	• • • • • • • • • • • • • • • • • • • •	Monthly	,
A Company of the second			



Part IV - Acceptance Conditions		EPA identification Number
		DW-96-94018901 - Q
27. General Conditions		
The other agency covenants and agrees that it will expeditiously initiate and have been awarded under this agreement.	complete the project for which i	unda
28. Special Conditions (Atlach additional sheets if needed)		
		•
Part V - Offer and	Acceptance	
Note: 1) For Disbursement actions, the agreement/amendment milat be sign Grants Administration Division for Headquarters agreements or to the approprietelept or within any extension of time as may be granted by EPA. The agrees acceptance signature.	ed by the other agency official is into EPA Regional IAG adminis	tration office within 3 calendar weeks after
Receipt of a written refusal or failure to return the property executed document a change to the agreement/amendment by the other agency subsequent to the determines to materially after the agreement/amendment, shall void the agreement/amendment, shall void the agreement/amendment.	locument being signed by the El	esuit in the withdrawal of offer by EPA. Any PA Action Official, which the Action Official
2) For Reimbursement actions, the other agency will initiate the action and forvoffice for signature. The agreements/amendments will then be forwarded to the behalf of the EPA. One original copy will be returned to the other agency after a	ia appropriate EPA IAG admini	endments to the appropriate EPA program stration office for acceptance signature on
EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for tech	mical exsistance)
29. Organization/Address	86. Organization/Address	
US EPA R1	US Environmental Protect	ion Agency
Grants Management Office	Region 1	
1 Congress Street, Suite 1100	1 Congress Street, Suits 1	100
Boston, MA 02114-2023	Boston, MA 02114-2023	
Certifica  All eigners certify that the statements made on this form complete. Signers acknowledge that any knowingly fall fine or imprisonment or both under applicable law.	end all affectments thereto are	true, accurate, and y be punishable by
Decision Official on Behalf of the Environm	ent Protection Agency Progra	m Office
31. Signatury Typed Name and Title		Date
My Marker Dischart Studien, Dir. Office of	Site Remediation & Restolution	7-12-06
Action on Behalf of the Enviro	nment Protection Agency	
32. Signature Typed Name and Title		Date
James T. Owens, Ill, Dir. Office	e of Administration and Resourc	a Mgmi. 7/14/06
Authorizing Official on Beh	alf of the Other Agency	
33. Starteling / Typed Name and Title		Date
// / / / Mark J. Otla, Chief, Environme	untal Project Management Branc	h 7-20-06

Page 1



United States Environmental Protection Agency Washington, DC 20460

#### **Interagency Agreement**

## Amendment Part 1 - General Information

1. EPA IAG Identification Number DW-96-94018901 - R 4. Funding Location by Region EPA R1

2. Other Agency IAG ID Number

Agency IAG ID Number 5. Prog

5. Program Office Abbreviation

3. Type of Action

Augmentation: Increase

Region 1

Name and Address of EPA Organization
 US Environmental Protection Agency
 Contracts Management Section, HBS
 1 Congress Street, Suite 1100

Boston, MA 02114-2023 DUNS: 029128894  Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 12565 West Center Road Omaha, NE 68144-3869

**DUNS: DOD961316** 

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$1,754,161.

EPA Project Officer (Name, Address, Phone Number)
 Filomena Dinardo
 1 Congress Street, Suite 1100
 Boston, MA 02114-2023

617-918-1425 11. Project Period 02/01/1999 to 10/31/2008 10. Other Agency Project Officer (Name, Address, Phone Number)
Marvene Seaman
12565 West Center Road

Omaha, NE 68144-3869 402-697-2425

12. Budget Period 02/01/1999 to 10/31/2008

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173

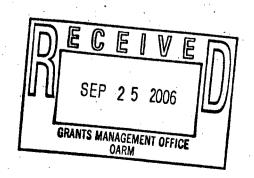
14. Statutory Authority for Both Transfer of Funds and Project Activities
CERCLA: Secs. 105(A)(A) & 115

15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$117,458,704	\$1,754,161	\$119,212,865
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19. Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$117,458,704	\$1,754,161	\$119,212,865

	21. Fiscal									7
I	Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
ı		RAP019	2006	TCD	1A00R	302DD2C	2507	0143RA01	C003	1,754,161
1										1,754,161

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.



EPA IAG Identification No. DW-96-94018901 - R Page 2

Part	II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - R
22. Budget (	Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
a) Personnel		\$100,000	\$14,986,333
o) Fringe Benefits			\$0
) Travel			\$0
) Equipment			\$0
) Supplies			\$0
Procurement / Assistance		\$1,654,161	\$104,226,532
g) Construction			\$0
h) Other			\$0
) Total Direct Charges		\$1,754,161	\$119,212,865
) Indirect Costs: Rate % Base \$		\$0	\$0
k) Total (EPA Share 100.00 %) (Othe	r Agency Share 0.00 %)	\$1,754,161	\$119,212,865
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 or 24. Are any of these funds being used on	or more)		⊠ No
Type of Extramural Agreement			Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Un	der This Project	Percent Funded by EPA (if known)
Foster Wheeler	Total Extramitial Amount of	104226532	100
	<u>                                     </u>	Total \$ 104,226,532.00	
P	Part III - Funding Methods and B	illing Instructions	
25.	(Note: EPA Agency Location	Code (ALC) - 680107	27)
<ul> <li>☑ Disbursement Agreement</li> <li>☑ Repayment</li> </ul>	Management Office, Cincinnati, OH 452	must be itemized on SF 68-7002:	1080 and submitted to the Financial
repayment	Monthly Monthly		•
⊠ Repayment	Only available for use by Federal agence for this type of payment method. Une	xpended funds at comple	or with appropriate justification of need tion of work will be returned to EPA agement Center, EPA, Cincinnati, OH
<u>⊠ Repayment</u>	Only available for use by Federal agence for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller,	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive pnor Formulation and Control Branch, EPA
<u>⊠ Repayment</u>	Only available for use by Federal agency for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the comptrol of the	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA.
	Only available for use by Federal agency for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the comptrol of the	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive prior Formulation and Control Branch, EPA
	Only available for use by Federal agency for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the comptrol of the	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive prior Formulation and Control Branch, EPA
	Only available for use by Federal agency for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the comptrol of the	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive prior Formulation and Control Branch, EPA
	Only available for use by Federal agency for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the comptrol of the	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive prior Formulation and Control Branch, EPA
26.	Only available for use by Federal agency for this type of payment method. Une Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the comptrol of the	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive pnor Formulation and Control Branch, EPA
26. Funding Agency's Treasury Symbol	Only available for use by Federal agency for this type of payment method. Und Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the Division, PM-226F, EPA, Washington, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA, PM-226F, EPA,	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and a C 20460.	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive prior Formulation and Control Branch, EPA
	Only available for use by Federal agency for this type of payment method. Und Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the Division, PM-226F, EPA, Washington, PM-226F	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and C 20460.  EPA Program Office A	tion of work will be returned to EPA. agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive prior Formulation and Control Branch, EPA Analysis Branch, Financial Management
26. Funding Agency's Treasury Symbol Other Agency's IAG Identification Number	Only available for use by Federal agency for this type of payment method. Und Quarterly cost reports will be forward 45268-7002.  Used to transfer obligational authority of approval by the Office of Comptroller, Hdqtrs. Forward appropriate reports to the Division, PM-226F, EPA, Washington, PM-226F	expended funds at completed to the Financial Mana- transfer of function betwee Budget Division, Budget the Financial Reports and C 20460.  EPA Program Office A	agement Center, EPA, Cincinnati, OH en Federal agencies. Must receive pnor Formulation and Control Branch, EPA Analysis Branch, Financial Management

	EPA	IAG Idehtification No.DW-85-84018801 - R Page 8	
Part IV - /	Acceptance Conditions	EPA identification Number	
		DW-95-94018901 - R	
27. General Conditions			
The other agency covenants and agraes the have been awarded under this agreement.	nat it will expeditiously initiate and complete the pr	Diact for which funds	
88. Special Conditions (Attach additional al	heets if neaded)		
	<u>:</u>		
Brants Administration Division for Hoadduarle	ers adreamants of to the sourcellate EPA Region	e agarby official in duplicate and one original returned to t al IAG administration office within 3 calendar weeks af it must be forwarded to the address cited in item 29 af	ter
Receipt of a written refuest or failure to return to	the properly executed document within the prescri wher agency subsequent to the document being a mendment, shall void the agreement/amendment	bed time may result in the withdrawel of offer by EPA. A signed by the EPA Action Official, which the Action Offic	ital Ital
	ncy will initiate the action and forward two original	sgreemenla/amondmenta to the appropriate EPA progre PA IAG administration office for acceptance eighatlire	ntg no
	minon in an anite allettel ment manufattifft.		
PA IAG Administration Office (for administ	rative assistance) EPA Program	Office (fot technical assistance)	
the state of the s		Office (for technical assistance)	
9. Organization/Address	30. Organizati	or/Address	-
the state of the s	30. Organizati US Enviro	on/Address hmental Protection Agency	
3. Organization/Address US EPA R1	30. Organizati US Enviro Region 1	on/Address hmental Protection Agency	
9. Organization/Address US EPA R1 Grants Management Office	30. Organizati US Enviro Region 1 1 Congres	on/Address himental Protection Agency Is Street, Suite 1100	
3. Organization/Address US EPA R1 Grants Management Office 1 Congress Street, Suite 1100	30. Organizati US Enviro Region 1 1 Congres	on/Address hmental Protection Agency	
Grants Management Office 1 Congress Street, Suits 1100	30. Organizati US Enviro Region 1 1 Congres Boston, M	on/Address himental Protection Agency Is Street, Suite 1100	
9. Organization/Address  US EPA R1  Grantz Management Office 1 Congress Street, Suite 1100  Boston, MA 02114-2023  All signers certify that I  complete. Signers ac	US Enviro Region 1 1 Congres Baston, M  Certification the statements made on this form and all attachmicknewledge that any knowingly false or misleading or both under applicable law.	ont/Address  hmental Protection Agency  is Street, Suite 1100  A 02114-2023  ments thereto are true, accurate, and a statements may be punishable by	
9. Organization/Address  US EPA R1  Grantz Management Office 1 Congless Street, Suite 1100  Boston, MA 02114-2023  All signers certify that complete. Signers acres to the or imprisonment of the or imprisonment.	30. Organizati US Enviro Region 1 1 Congres Boston, M  Certification the statements made on this form and all sitecture knowledge that any knowingly false or misteading or both under applicable law. ficial on Battait of the Environment Protection	ont/Address  hmental Protection Agency  is Street, Suite 1100  A 02114-2023  ments thereto are true, accurate, and a statements may be punishable by	
9. Organization/Address  US EPA R1  Grantz Management Office 1 Congless Street, Suite 1100  Boston, MA 02114-2023  All signers centry that complete. Signers acrime or imprisonment of Decision Office.	US Enviro Region 1 1 Congress Boston, M  Certification the statements made on this form and all attachm knowledge that any knowingly false or misleading or both under applicable law.  ficial on Bettelf of the Environment Protection  Typed Name and Title	nn/Address  himental Protection Agency  is Street, Suite 1100  IA 02114-2023  ments thereto are true, accurate, and astricments may be punishable by  Agency Program Office  Date	
9. Organization/Address  US EPA R1  Grantz Menagement Office 1 Congress Street, Suite 1100  Boston, MA 02114-2023  All signers certify that complete. Signers accomplete. Signers accomplete. Decision Office or Imprisonment	US Enviro Region 1 1 Congress Boston, M  Certification the statements made on this form and all attachments who will be to the statements of the Environment Protection Typed Name and Title Stisen Studien, Dir. Office of Site Remediation	nn/Address  himental Protection Agency  is Street, Suite 1100  IA 02114-2023  ments thereto are true, accurate, and atalements may be punishable by  Agency Program Office  Date  09/18/0	26
US EPA R1 Grantz Management Office 1 Congless Street, Sulta 1100 Boston, MA 02114-2023  All signers certify that complete. Signers ac fine or imprisonment of Decision Office.  1. Signature	US Environment Protection Typed Name and Title Susan Stutilien, Dir. Office of Site Remediation Typed Name and Title Susan Stutilien, Dir. Office of Site Remediation Action on Behalf of the Environment Protection	nn/Address  himental Protection Agency  is Street, Suite 1100  IA 02114-2023  ments thereto are true, accurate, and atalements may be punishable by  Agency Program Office  Date  09/18/0	26
US EPA R1 Grantz Management Office 1 Congless Street, Sulta 1100 Boston, MA 02114-2023  All signers certify that complete. Signers ac fine or imprisonment of Decision Office.  1. Signature	US Enviro Region 1 1 Congress Boston, M  Certification the statements made on this form and all attachmit knowledge that any knowledge that any knowledge that any knowledge that any knowledge that any knowledge false or misleading or both under applicable law.  ficial on Beitelf of the Environment Protection Typed Name and Title Susan Studligh, Dir. Office of Site Ramediato Action on Behalf of the Environment Protecti Typed Name and Title	nnt/Address  himental Protection Agency  is Street, Suite 1100  A 02114-2023  ments thereto are true, accurate, and astatements may be punishable by  Agency Progrem Office  Date 04/18/0  On Agency  Date	26
US EPA R1 Grants Management Office 1 Congless Street, Suite 1100 Boston, MA 02114-2023  All signers certify that complete. Signers as fine or imprischment of Decision Office.  1. Signature	Certification  Region 1 1 Congress Boston, M  Certification the statements made on this form and ell attachments made on this form and ell attachments made on this form and ell attachments howing false or misleading or both under applicable law.  ficial on Behalf of the Environment Protection  Typed Name and Title Susen Studlien, Dir. Office of Site Remediation  Action on Behalf of the Environment Protection  Typed Name and Title  James T. Owens, Ili, Dir. Office of Administration	Agency Program Office  Date  OA JIB/C  Date  OA Resource Mymt.	26
9. Organization/Address  US EPA R1  Grantz Management Office 1 Congress Street, Suite 1100  Boston, MA 02114-2023  All signers certify that complete. Styriers acting or imprisonment of the procession of the Succession of the Suc	US Enviro Region 1 1 Congres Baston, M  Certification the statements made on this form and ell attachmit knowledge that any knowingly false or misleading or both under applicable law.  ficial on Bettelf of the Environment Protection  Typed Name and Title Susen Studlish, Dir. Office of Site Remediatio Action on Behalf of the Environment Protecti  Typed Name and Title James T. Owers, Ili, Dir. Office of Administral Authorizing Official on Behalf of the Other	Agency Program Office  Date  OA JIB/C  Date  OA Resource Mymt.	
US EPA R1 Grants Management Office 1 Congless Street, Suite 1100 Boston, MA 02114-2023  All signers certify that complete. Signers acritine or imprisonment of Decision Office.  1. Signature SUCCIA Street	Certification  Region 1 1 Congress Boston, M  Certification the statements made on this form and ell attachments made on this form and ell attachments made on this form and ell attachments howing false or misleading or both under applicable law.  ficial on Behalf of the Environment Protection  Typed Name and Title Susen Studlien, Dir. Office of Site Remediation  Action on Behalf of the Environment Protection  Typed Name and Title  James T. Owens, Ili, Dir. Office of Administration	Agency  Date  Only Address  Amental Protection Agency  Street, Suite 1100  A 02114-2023  The talk thereto are true, accurate, and a statements may be punishable by  Agency Program Office  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date  Only Agency  Date	76 fts

Page 1 4. Funding Location by Region 1. EPA IAG Identification Number United States Environmental DW-96-94018901 - S Protection Agency Washington, DC 20460 EPA RI 2. Other Agency IAG ID Number 5. Program Office Interagency Agreement Abbreviation 3. Type of Action Region 1 Amendment Augmentation: Increase Part 1 - General Information 7. Name and Address of Other Agency Corps of Engineers-Omaha HTRW CX 6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 12565 West Center Road 1 Congress Street, Suite 1100 Omaha, NE 68144-3869 Boston, MA 02114-2023 **DUNS: DOD961316** DUNS: 029128894 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$1,757,248. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Marvene Seaman 1 Congress Street, Suite 1100 12565 West Center Road Omaha, NE 68144-3869 Boston, MA 02114-2023 617-918-1425 402-697-2425 11. Project Period 12. Budget Period 02/01/1999 to 10/31/2008 02/01/1999 to 10/31/2008 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173 15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Funds Previous Amount Amended Total Amount This Action 16. EPA Amount \$119,212,865 \$1,757,248 \$120,970,113 17. EPA In-Kind Amount \$0 18. Other Agency Amount \$0 30 19. Other Agency In-Kind Amt. \$0 20. Total Project Cost \$119,212,865 \$1,757,248 \$120,970,113 21. Fiscal Site Name DCN FΥ Арргор. Budget Org. PRC Object Site/Project Cost Org. Obligation

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1,500,000

257,248 1,757,248

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

RAP004

**RUP001** 

2007

2007

TR2B

EPA IAG Identification No. DW-96-94018901 - S Part II - Approved Budget **EPA IAG Identification Number** DW-96-94018901 - S 22. Budget Categories Itemization of Itemization of Total Project This Action **Estimated Cost to Date** \$14,986,333 (a) Personnel (b) Fringe Benefits (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$0 (f) Procurement / Assistance \$1,757,248 \$105,983,780 (g) Construction 50 (h) Other \$0 i) Total Direct Charges \$1,757,248 \$120,970,113 j) Indirect Costs: Rate % Base \$ \$1,757,248 \$120,970,113 (EPA Share 100.00 %) (Other Agency Share 0.00 %) No. 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) Yes 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Type of Extramural Agreement Procurement Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) Foster Wheeler Total. \$ 105,983,780.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, CincInnati, OH 45268-7002: Disbursement Agreement Repayment Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol 68-20X8145 Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number). Other Agency's Billing Instructions and Frequency Monthly EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

EPA IAG Identification No.DW-96-94018901 - S Page 3

Part IV - Acceptance Condition	
<u> </u>	DW-96-94018901 - S
27. General Conditions	
The other agency covenants and agrees that it will expeditiously initial have been awarded under this agreement.	e and complete the project for which funds
28. Special Conditions (Attach additional sheets if needed)	
,	
	- '
	and Acceptance
Grants Administration Division for Headquarters agreements or to the apreceipt or within any extension of time as may be granted by EPA. The acceptance signature.	a signed by the other agency official in duplicate and one original returned to the propriate EPA Regional-IAG administration office within 3 calendar weeks after agreement/amendment must be forwarded to the address cited in item 29 after ment within the prescribed time may result in the withdrawal of offer by EPA. Any
	the document being signed by the EPA Action Official, which the Action Official
	d forward two original agreements/amendments to the appropriate EPA program to the appropriate EPA IAG administration office for acceptance signature on after acceptance.
PA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
9. Organization/Address	30. Organization/Address
US EPA R1	US Equirenmental Protection Assess
Grants Management Office	US Environmental Protection Agency Region 1
1 Congress Street, Suite 1100	1 Congress Street, Suite 1100
Boston, MA 02114-2023	Boston, MA 02114-2023
— — — — — — — — — — — — — — — — — — —	tification
	s form and all attachments thereto are true, accurate, and gly false or misleading statements may be punishable by
Decision Official on Behalf of the Env	ironment Protection Agency Program Office
11. Signature / Typed Name and Title	Date
Marges T. Owens, III, Die	Office of Site Remediation and Restoration
Action on Behalf of the E	nvironment Protection Agency
22. Signature Typed Name and Title	Date
	of Admin. & Resource Management
	Behalf of the Other Agency
3. S/ghature A Typed Name and Title	Date
14 (11) 16 11 (1 And	ronmental Project Management Branch 1-18-07
Albin C. Gua, Ginet, Elly	10 07

Page 1 1. EPA IAG Identification Number 4. Funding Location by Region United States Environmental DW-96-94018901 - T EPA RÍ Protection Agency Washington, DC 20460 2. Other Agency IAG ID Number 5. Program Office Interagency Agreement Abbreviation Region 1 3. Type of Action Amendment Augmentation: Increase Part 1 - General Information 7. Name and Address of Other Agency 6. Name and Address of EPA Organization Corps of Engineers-Omaha HTRW CX US Environmental Protection Agency 12565 West Center Road Contracts Management Section, HBS Omaha, NE 68144-3869 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894 DUNS: DOD961316 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$7,124,500 and it extends the project and budget periods. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Marvene Seaman 1 Congress Street, Suite 1100 12565 West Center Road Omaha, NE 68144-3869 Boston, MA 02114-2023 617-918-1425 402-697-2425 11, Project Perlod 12. Budget Period 02/01/1999 to 12/31/2009 02/01/1999 to 12/31/2009 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173 15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Amended Total Funds Previous Amount Amount This Action 16. EPA Amount \$120,970,113 \$7,124,500 \$128,094,613 17. EPA In-Kind Amount \$0. 18. Other Agency Amount \$0 \$0 19. Other Agency In-Kind Amt. 20. Total Project Cost \$7,124,500 \$120,970,113 \$128,094,613 21. Fiscal Site Name DCN PRC Approp. Budget Org. Object Site/Project Cost Org. Obligation RAP009 2007 1A00R 302DD2C 2507 0143RA01 C003 6,999,417

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

RAP009

**RUP007** 

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124,500 7,124,500

		1,111,111,111,111	DW-96-84018901 - T Page 2
Part	II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - T
22. Budget Ca	ategories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	· · · · · · · · · · · · · · · · · · ·	\$200,000	\$15,186,333
(b) Fringe Benefits			\$0
(c) Travel			\$0
(d) Equipment			\$0
(e) Supplies			\$0
(f) Procurement / Assistance		\$6,924,500	\$112,908,280
(g) Construction		<del></del>	\$0
(h) Other		<del>.</del>	\$0
(i) Total Direct Charges		\$7,124,500	\$128,094,613
(j) Indirect Costs: Rate % Base \$		\$0	\$0
(k) Total (EPA Share 100.00 %) (Other	Agency Share 0.00 %}	\$7,124,500	\$128,094,613
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 or			∑ No
24. Are any of these funds being used on e	xtramural agreements? (See Item 22f.)	Yes	
Type of Extramural Agreement			Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Unde		Percent Funded by EPA (If known)
Foster Wheeler	]	1.12908280 otal. \$ 112,908,280.00	100
P	art III - Funding Methods and Billi	ng instructions	
25.	(Note: EPA Agency Location Co	de (ALC) - 6801072	27)
	Request for repayment of actual costs π Management Office, Cincinnati, OH 45268-  Monthly		1080 and submitted to the Financial
	Only available for use by Federal agencies for this type of payment method. Unexpi Quarterly cost reports will be forwarded 45268-7002.	ended funds at comple	tion of work will be returned to EPA.
	Used to transfer obligational authority or tri approval by the Office of Comptroller, Bi Hdqtrs, Forward appropriate reports to the Division, PM-226F, EPA, Washington, DC 2	udget Division, Budget . Financial Reports and A	Formulation and Control Branch, EPA
26.			
	•		
Funding Agency's Treasury Symbol.	68-20X8145		
Other Agency's IAG Identification Number	:	EPA Program Office 4	Mowance Holder/Resp. Center No.
Other Agency's Billing Address (include AL	C or Station Symbol Number)	Other Agency's Billin	g Instructions and Frequency
		Monthly	
PA Form 1610-1 (Rev. 10-88). Previous editions are		<u> </u>	

<u> </u>		EPA (AG Identificatio	n No.DW-96-94018901 - T Page 3
Part IV - Ac	ceptance Conditions		EPA Identification Number .
•	•		DW-96-94018901 - T
27, General Conditions			
The other agency covenants and agrees that have been awarded under this agreement.	it will expeditiously initiate and	complete the project for which	funds
28. Special Conditions (Attach additional shee	ts if needed)		
	•		
	Part V - Offer and	Acceptance	
Note: 1) For Disbursement actions, the agreem Grants Administration Division for Headquarters receipt or within any extension of time as may be acceptance signature.	agreements or to the appropria e granted by EPA. The agreen	ate EPA Regional IAG adminis nent/amendment must be forw	stration office within 3 calendar weeks after arded to the address cited in item 29 after
Receipt of a written refusal or failure to return the change to the agreement/amendment by the other determines to materially after the agreement/amendment	er agency subsequent to the do	cument being signed by the E	result in the withdrawal of offer by EPA. Any PA Action Official which the Action Official
<ol> <li>For Reimbursement actions, the other agency office for signature. The agreements/amendment behalf of the EPA. One original copy will be return</li> </ol>	ts will then be forwarded to th	e appropriate EPA IAG admin	nendments to the appropriate EPA program istration office for acceptance signature on
EPA IAG Administration Office (for administrat	ive assistance)	EPA Program Office (for tec	hnical assistance)
29. Organization/Address		30, Organization/Address	
US EPA R1		US Environmental Protec	tion Agangu
Grants Management Office		Region 1	Citoti Adelicy
1 Congress Street, Suite 1100	• • •	1 Congress Street, Suite	1100
Boston, MA 02114-2023		Boston, MA 02114-2023	
complete. Signers ackn		I <b>tion</b> and all attachments thereto ar se or misleading statements m	
Decision Offic	lal on Behalf of the Environm	ent Protection Agency Progr	am Office
31. Signature	Typed Name and Title		Date,
Jan 10 - 3	James T. Owens, III, Dir. Offic	e of Site Remediation and Res	storation G/1/07
	ction on Behalf of the Enviro	nment Protection Agency	
32. Signature	Typed Name and Title		Date
Fudul V	Linda Murphy, Dir. Office of A	dmin. & Resource Managemen	1 /1/97
1 1 1 1	Authorizing Official on Beh	alf of the Other Agency	16/3/
33. S/Ah/4/12 1 1	Typed Name and Title	<del></del>	Date
IV Will Ho	Mark J. Otis, Chief, Environme	entai Project Management Brar	nch 6-41-07

7,500,002

Page 1 4. Funding Location by Region 1. EPA IAG Identification Number United States Environmental DW-96-94018901 - U EPA R1 Protection Agency Washington, DC 20460 2. Other Agency IAG ID Number 5. Program Office Interagency Agreement Abbreviation Region 1 3. Type of Action Amendment 级版 Augmentation: Increase Part 1 - General Information 7. Name and Address of Other Agency 6. Name and Address of EPA Organization Corps of Engineers-Omaha HTRW CX US Environmental Protection Agency 12565 West Center Road Contracts Management Section, HBS Omaha, NE 68144-3869 1 Congress Street, Suite 1100 Boston, MA 02114-2023 **DUNS: DOD961316** DUNS: 029128894 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$7,500,002 and it adds the Cost Collection Upon Cancellation term & condition. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman Filomena Dinardo 1 Congress Street, Suite 1100 12565 West Center Road Boston, MA 02114-2023 Omaha, NE 68144-3869 402-697-2425 617-918-1425 11. Project Period 2. Budget Period 02/01/1999 to 12/31/2009 02/01/1999 to 12/31/2009 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173 15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Amount This Action Amended Total Funds Previous Amount 16. EPA Amount \$128,094,613 \$7,500,002 \$135,594,615 17. EPA In-Kind Amount \$0 18. Other Agency Amount \$0 50 \$0 19. Other Agency In-Kind Amt. \$0 20. Total Project Cost \$128,094,613 \$7,500,002 \$135,594,615 21. Fiscal Site Name DCN FΥ Budget Org. PRC Approp. Object Site/Project Cost Org. Obligation **RAP011** 2007 1A00R 302DD2C COO3 2507 0143RA0 6,500,000 **RAP011** 1A00R 2007 TCD 302DD2C 2507 0143RA01 COO3 1,000,002

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

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EPA JAG Identification No. DW-96-94018901 - U **EPA IAG Identification Number** Part II - Approved Budget DW-98-94018901 - U Itemization of Itemization of Total Project 22. Budget Categories This Action Estimated Cost to Date \$400,000 (a) Personnel 50 (b) Fringe Benefits (c) Travel 50 (d) Equipment (e) Supplies \$0 \$7,100,002 \$120,008,282 (f) Procurement / Assistance (g) Construction \$0 (h) Other \$7,500,002 (i) Total Direct Charges \$135,594,615 (j) Indirect Costs: Rate % 50 \$0 Base \$ (k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$135,594,615 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ⊠ No (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Procurement Type of Extramural Agreement Total Extramural Amount Under This Project Percent Funded by EPA (if known) Contractor/Recipient Name (If known) oster Wheeler Total. \$ 120,008,282.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002; Disbursement Agreement Repayment | Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hddtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol 68-20X8145 Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address'(include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly PA Form 1610-1 (Rev. 10-88). Previous editions are obsolete

	EPA IAG Identification	1 No.DW-96-94018901 - U Page 3
Part IV - Acceptance Conditions	ome wante for any th	EPA Identification Number  DW-96-94018901 - U
27. General Conditions		
The other agency covenants and agrees that it will expeditiously initiate and have been awarded under this agreement.	complete the project for which	funds
28. Special Conditions (Attach additional sheets if needed)		
		· · ·
Part V - Offer and	Acceptance	
Note: 1) For Disbursement actions, the agreement/amendment must be sign. Grants Administration Division for Headquarters agreements or to the appropriete or within any extension of time as may be granted by EPA. The agreen acceptance signature.	ed by the other agency official ate EPA Regional IAG adminishent/amendment must be forw	stration office within 3 calendar weeks after arded to the address cited in Item 29 after
Receipt of a written refusal or failure to return the properly executed document w change to the agreement/amendment by the other agency subsequent to the do determines to materially alter the agreement/amendment, shall void the agreement.	ocument being signed by the E ent/amendment.	PA Action Official, which the Action Official
2) For Reimbursement actions, the other agency will initiate the action and forwoffice for signature. The agreements/amendments will then be forwarded to the behalf of the EPA. One original copy will be returned to the other agency after a	e appropriate EPA IAG admin	nendments to the appropriate EPA program Istration office for acceptance signature on
EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for tec	hnical assistance)
US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023	30. Organization/Address  US Environmental Protect Region 1 1 Congress Street, Suite Boston, MA 02114-2023	
All signers certify that the statements made on this form complete. Signers acknowledge that any knowingly fall fine or imprisonment or both under applicable law.	and all attachments thereto ar se or misleading statements m	ay be punishable by
Decision Official on Behalf of the Environm	ent Protection Agency Progr	
31. Signature Typed Name and Title James T. Owens, Ill, Dir. Office	e of Site Remediation and Res	toration Date 7-44-07
// Action on Behalf of the Enviro	nment Protection Agency	
32/Signature / Typed Name and Title		Date / /
And M Mr. d , Linda Murphy, Dir. Office of Ar	dmin. & Resource Managemen	17/3.7/07
Authorizing Official on Beh	alf of the Other Agency	
33. Signature Typed Name and Title		Date'
	ental Project Management Bran	ich 8-1-07
PA Form 1610-1 (Rev. 1048) Previous editions are obsolete.		•

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Page 1



United States Environmental Protection Agency Washington, DC 20460

ement 2. Other Agency IAG ID Number

1. EPA IAG Identification Number DW-96-94018901 - V 4. Funding Location by Region EPA R1

**Interagency Agreement** 

Amendment
Part 1 - General Information

3. Type of Action

Augmentation: Increase

5. Program Office Abbreviation Region 1

Name and Address of EPA Organization
 US Environmental Protection Agency
 Contracts Management Section, HBS
 1 Congress Street, Suite 1100

Boston, MA 02114-2023

Boston, MA 02114-2023 DUNS: 029128894 7. Name and Address of Other Agency
Corps of Engineers-Omaha HTRW CX

12565 West Center Road Omaha, NE 68144-3869

DUNS: DOD961316

8. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

This amendment increases this IAG by \$5,000,000 and it extends the project and budget.

9. EPA Project Officer (Name, Address, Phone Number)

Filomena Dinardo
1 Congress Street, Sulte 1100

Boston, MA 02114-2023 617-918-1425 10. Other Agency Project Officer (Name, Address, Phone Number)

Marvene Seaman 12565 West Center Road Omaha, NE 68144-3869

402-697-2425

11. Project Period

02/01/1999 to 12/31/2019

12. Budget Period 02/01/1999 to 12/31/2019

13. Scope of Work

Please refer to existing Scope of Work

EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1.173

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

CERCEA. 3808. 103(A)(4) & 113	•	1	-, -
Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$135,594,615	\$5,000,000	\$140,594,615
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19, Other Agency In-Kind Amt.	\$0		\$0
20. Total Project Cost	\$135,594,615	\$5,000,000	\$140,594,615

				2.	I. Fiscal				
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP005	2008	, T	1A00R	302DD2C	2507	0143RA01	C003	5,000,000
									5,000,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-96-94018901 - V EPA IAG Identification Number Part II - Approved Budget DW-96-94018901 - V Itemization of Total Project 22. Budget Categories Itemization of This Action Estimated Cost to Date \$15,586,333 (a) Personnel (b) Fringe Benefits **SO** (c) Travel \$0 (d) Equipment \$0 (e) Supplies \$125,008,282 (f) Procurement / Assistance \$5,000,000 (g) Construction \$0 \$0 (h) Olher (i) Total Direct Charges \$5,000,000 \$140,594,615 (j) Indirect Costs: Rate % Base \$ (EPA Share 100.00 %) (Other Agency Share 0.00 %) (k) Total \$5,000,000 \$140,594,615 ⊠ No 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Procurement Type of Extramural Agreement Contractor/Recipient Name (if known) Percent Funded by EPA (If known) Total Extramural Amount Under This Project Foster Wheeler Total. \$ 125,008,282.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Disbursement Agreement Request for repayment of actual costs must be Itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: Repayment Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol 68-20X8145 Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly

	EPA IAG Identification No.DW-96-94018901 - V Page 3
Part IV - Acceptance Conditions	EPA Identification Number  DW-96-94018901 - V
27. General Conditions	
The other agency covenants and agrees that it will expeditiously initiate and have been awarded under this agreement.	d complete the project for which funds
28. Special Conditions (Attach additional sheets if needed)	
ı.	
Part V - Offer and Note: 1) For Disbursement actions, the agreement/amendment must be sign Grants Administration Division for Headquarters agreements or to the appropriete or within any extension of time as may be granted by EPA. The agree acceptance signature.  Receipt of a written refusal or failure to return the properly executed document change to the agreement/amendment by the other agency subsequent to the determines to materially after the agreement/amendment, shall void the agreement. For Reimbursement actions, the other agency will initiate the action and for office for signature. The agreements/amendments will then be forwarded to the content of th	ned by the other agency official in duplicate and one original returned to the riate EPA Regional IAG administration office within 3 calendar weeks after ment/amendment must be forwarded to the address cited in item 29 after within the prescribed time may result in the withdrawal of offer by EPA. Any document being signed by the EPA Action Official, which the Action Official nent/amendment.  ward two original agreements/amendments to the appropriate EPA program he appropriate EPA IAG administration office for acceptance signature on
behalf of the EPA. One original copy will be returned to the other agency after ( EPA IAG Administration Office (for administrative assistance)	acceplance.
29. Organization/Address	EPA Program Office (for technical assistance)  30. Organization/Address
zs. Organization/Address	So. Organization/Address
US EPA R1	US Environmental Protection Agency
Grants Management Office	Region 1
1 Congress Street, Suite 1100 Boston, MA 02114-2023	1 Congress Street, Suite 1100
DUSION, WAY 02114-2023	Boston, MA 02114-2023
Certific All signers certify that the statements made on this form complete. Signers acknowledge that any knowingly fa fine or imprisonment or both under applicable law.	n and all attachments thereto are true, accurate, and alse or misleading statements may be punishable by
Decision Official on Behalf of the Environment	
31. Signature Typed Name and Title  James T. Owens, III, Dir. Offi	ice of Site Remediation and Restoration
Action on Behalf of the Envir	onment Protection Agency
32. Signature Typed Name and Title	Date
Linda Murphy, Dir. Office of A	Admin. & Resource Management 3/28/03
Authorizing Official on Bel	half of the Other Agency
33. Signafure / Typed Name and Title	Date/ /
WWW. J. Chief, Environm	nental Project Management Branch 3/31/08
PA Form 1610-1 (Rey. 10-88) Previous editions are obsolete.	

10,153,218

OPTIONAL FORM 99 (7-90)

FAX TRAN	ISMITTAL	#	of pages	12
Filomena Di	Narda From Ma	14	0+	is
Dept./Agency EPA	Phone 47	8	318	8895
Fax # 617 918	04-25 Fax #			

NSN-7540-Q1-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION Page 1 4. Funding Location by Region United States Environmental 1. EPA IAG Identification Number DW-96-94018901 - W EPA R1 Protection Agency Washington, DC 20460 5. Program Office 2. Other Agency IAG ID Number Interagency Agreement **Abbreviation** 3. Type of Action Region 1 Amendment Augmentation: Increase Part 1 - General Information 7. Name and Address of Other Agency 6. Name and Address of EPA Organization Corps of Engineers-Omaha District US Environmental Protection Agency 1616 Capitol Ave., Sulte 9200, CEHNC-CX-ES Contracts Management Section, HBS 1 Congress Street, Suite 1100 Omaha, NE 68102-9200 Boston, MA 02114-2023 DUNS: 029128894 DUNS: 153562384 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$10,153,218. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Marvene Seaman 1 Congress Street, Suite 1100 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Boston, MA 02114-2023 Omaha, NE:68102-9200 402-697-2425 617-918-1425 . Project Period 12. Budget Period 02/01/1999 to 12/31/2019 02/01/1999 to 12/31/2019 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanis 617-918-1173 15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Funds Previous Amount **Amount This Action Amended Total** 16. EPA Amount \$140,594,615 \$10,153,218 \$150,747,833 17. EPA In-Kind Amount \$0 18. Other Agency Amount \$0 \$0 19. Other Agency In-Kind Amt. \$0 \$0 20. Total Project Cost \$140,594,615 \$10,153,218 \$150,747,833 21. Fiscal Cost Org. Site Name Арргор. Budget Org. PRC Object Site/Project Obligation RAP011 2008 1A00R 302DD2C 2507 0143RA01 C003 10,000,000 RUP009 2008 TR2B 1A00R 302DD2C 2507 0143RA01 C003 153,218

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

		EPA IAG Identification No.	DW-96-94018901 - W Page 2
Part	II - Approved Budget		EPA IAG Identification Number DW-96-94018901 - W
22. Budget C	ategories	Itemization of This Action	itemization of Total Project Estimated Cost to Date
(a) Personnel			\$15,586,333
(b) Fringe Benefits			\$0
(c) Travel		·,	. \$0
(d) Equipment			\$0
(e) Supplies			\$0
(f) Procurement / Assistance		\$10,153,218	\$135,161,500
(g) Construction			\$0
(h) Other			\$0
(i) Total Direct Charges		\$10,153,218	\$150,747,833
(j) Indirect Costs: Rate % Base \$		. \$0	\$0
(k) Total (EPA Share 100.00 %) (Othe	Agency Share 0.00 %)	\$10,153,218	\$150,747,833
23. Is equipment authorized to be furnished (Identify all equipment costing \$1,000 of 24. Are any of these funds being used on	r more)		⊠ No
	Attaina agreements (eee tem)	23 7 00	⊠ Procurement
Type of Extramural Agreement	Table Barrell Andrea	Under This Ductors	Percent Funded by EPA (If known)
Contractor/Recipient Name (If known) Foster Wheeler	Total Extramural Amount	135161500	100
, outer vinceler		Total \$ 135,161,500.00	
F	art III - Funding Methods and	Billing Instructions	
25.	(Note: EPA Agency Locatio		
☐ Disbursement Agreement ☐ Repayment	Request for repayment of actual co Management Office, Cincinnati, OH 4 Monthly		1080 and submitted to the Financial
	for this type of payment method, U	Unexpended funds at complete	or with appropriate justification of need tion of work will be returned to EPA. germent Center, EPA, Cincinnati, OH
	approval by the Office of Comptroll	er, Budget Division, Budget I to the Financial Reports and A	in Federal agencies. Must receive prior Formulation and Control Branch, EPA nalysis Branch, Financial Management
26.		•	
•			)
		· <u>.</u>	
Funding Agency's Treasury Symbol	68-20X8145		
Other Agency's IAG Identification Number		EPA Program Office A	llowance Holder/Resp. Center No.
Other Agency's Billing Address (include A	LC or Station Symbol Number)	Other Agency's Billing	g Instructions and Frequency
		Monthly	
PA Form 1610-1 (Rev. 10-88). Previous editions are	obsolete		

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Part IV - Acceptance Condition	S	EPA Identification Number
		DW-96-94018901 - W
7. General Conditions		<u>indiana and a sandana dan dan dan dan dan dan dan dan d</u>
The other agency covenants and agrees that it will expeditiously initiate have been awarded under this agreement.	and complete the project for which	n funds
8. Special Conditions (Aftach additional sheets if needed)	<u> </u>	
D. AV. Offin	and Acceptance	
Note: 1) For Disbursement actions, the agreement/amendment must be Grants Administration Division for Headquarters agreements or to the appreceipt or within any extension of time as may be granted by EPA. The acceptance signature.	signed by the other agency official propriate EPA Regional IAG admin greemeni/amendment must be for	istration office within 3 calendar weeks after warded to the address cited in Item 29 after
Receipt of a written refusal or failure to return the properly executed docume change to the agreement/amendment by the other agency subsequent to the determines to materially after the agreement/amendment, shall void the ag	the document being signed by the	result in the withdrawal of offer by EPA. Any EPA Action Official, which the Action Official
2) For Reimbursement actions, the other agency will initiate the action and office for signature. The agreements/amendments will then be forwarded behalf of the EPA. One original copy will be returned to the other agency a	to the appropriate EPA IAG admi	
PA IAG Administration Office (for administrative assistance)	EPA Program Office (for te	chnical assistance)
PA IAG Administration Office (for administrative assistance) 9. Organization/Address	EPA Program Office (for te 30. Organization/Address	chnical assistance)
	30. Organization/Address	and the second s
9. Organization/Address	30. Organization/Address US Environmental Prote	and the second s
9. Organization/Address US EPA R1	30. Organization/Address  US Environmental Prote	ection Agency
9. Organization/Address US EPA R1 Grants Management Office	30. Organization/Address US Environmental Prote Region 1 1 Congress Street, Sult	ection Agency
9. Organization/Address  US EPA R1  Grants Management Office 1 Congress Street, Suite 1100	30. Organization/Address  US Environmental Prote	ection Agency
9. Organization/Address  US EPA R1  Grants Management Office 1 Congress Street, Suite 1100	30. Organization/Address US Environmental Prote Region 1 1 Congress Street, Sult	ection Agency
9. Organization/Address  US EPA R1  Grants Management Office 1 Congress Street, Suite 1100  Boston, MA 02114-2023	30. Organization/Address US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202	ection Agency
9. Organization/Address  US EPA R1  Grants Management Office 1 Congress Street, Suite 1100  Boston, MA 02114-2023	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification 5 form and all attachments thereto a	ection Agency e 1100 3 pre-true, accurate, and
9. Organization/Address  US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  Cert  All signers certify that the statements made on this complete. Signers acknowledge that any knowing	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification s form and all attachments thereto a	ection Agency e 1100 3 are true, accurate, and may be punishable by
9. Organization/Address  US EPA R1  Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  Cert  All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Envi	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification s form and all attachments thereto a	ection Agency e 1100 3 are true, accurate, and may be punishable by
9. Organization/Address  US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  Cert All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Envi	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification s form and all attachments thereto a	ection Agency a 1100 3 ere true, accurate, and may be punishable by gram Office
9. Organization/Address  US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Envi	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification form and all attachments thereto a ply false or misleading statements of	ection Agency a 1100 3 ere true, accurate, and may be punishable by gram Office
US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  Cert All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Envi	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification s form and all attachments thereto a ply false or misleading statements of	ection Agency e 1100 3 are true, accurate, and may be punishable by gram Office  Date estoration
9. Organization/Address  US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Envi	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification form and all attachments thereto a ply false or misleading statements of	ection Agency e 1100 3  pere true, accurate, and may be punishable by gram Office  Date  Date
9. Organization/Address  US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environment of th	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification storm and all attachments thereto a ply false or misleading statements in fronment Protection Agency Pro	ection Agency e 1100 3  pere true, accurate, and may be punishable by gram Office  Date  Date
US EPA R1 Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  All signers certify that the statements made on this complete. Signers acknowledge that any knowing fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environment of the Envi	30. Organization/Address  US Environmental Prote Region 1 1 Congress Street, Sult Boston, MA 02114-202  tification form and all attachments thereto a ply false or misleading statements in fronment Protection Agency Pro-	ection Agency e 1100 3  pere true, accurate, and may be punishable by gram Office  Date  Date

Page 1 1. EPA IAG Identification Number 4. Funding Location by Region, United States Environmental DW-96-94018901 - X EPAR1 Protection Agency Washington, DC 20460 2. Other Agency IAG ID Number 5. Program Office Interagency Agreement Abbreviation 3. Type of Action Region 1. Amendment Augmentation: Increase Part 1 - General Information 7. Name and Address of Other Agency 6. Name and Address of EPA Organization US Environmental Protection Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Contracts Management Section, HBS Omaha, NE 68102-9200 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 153562384 DUNS: 029128894 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IAG by \$1,248,813. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman Filomena Dinardo 1 Congress Street, Suite 1100 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 Boston, MA 02114-2023 402-697-2425 617-918-1425 11. Project Period 12. Budget Period 02/01/1999 to 12/31/2019 02/01/1999 to 12/31/2019 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stants 617-918-1173 15, Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Funds Previous Amount Amount This Action Amended Total 16. EPA Amount \$150,747,833 \$1,248,813 \$151,996,646 17. EPA In-Kind Amount \$0 18. Other Agency Amount \$0 19. Other Agency In-Kind Amt. \$0 20. Total Project Cost \$150,747,833 \$1,248,813 \$151,996,646 21, Fiscal Site Name DCN Budget Org. PRC Site/Project Cost Org. Approp. Object Obligation 1,248,813 RSP001 2008 1A00R 302DD2C 0143RA01 C003 1,248,813 EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

Part II - Approved Budget  22. Budget Catagories    Itemization of Total Project Estimated Cost to Date (a) Personnel   S16,598,333   S15,598,333   S15,598,333   S10,000   S10			EPA IAG Identification No.	والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع				
Contractor/Raciplent Name (if known)   Total Extramural Amount Under This Project   Percurement	Part	EPA IAG Identification Number						
a) Personnel b) Personnel c) Tria Action St15,586,333 b) Fringe Benefits c) S15,586,333 b) Fringe Benefits c) S2 c) Travel c) Gequipment c) S0 d) Equipment c) S0 d) Equipment c) S0 d) Supplies c) S1,248,813 c) S136,410,313 c) S19,410,313 c) S19,			<del></del>					
b) Fringe Banefits	22. Budget C	ategories						
Stravel   S0   S0   S0   S0   S0   S0   S0   S	a) Personnel			\$15,586,333				
Supplies   So   So   So   So   So   So   So   S	b) Fringe Benefits			\$0				
e) Supplies f) Procurement / Assistance f) Procurement / Assistance f) Procurement / Assistance f) Construction f) Other f) Construction f) Other f) Supplies f) Construction f) Other f) Supplies f) Construction f) Other f) Supplies f)	c) Travel			\$0				
Procurement / Assistance   \$1,248,813   \$136,410,313     Procurement / Assistance   \$1,248,813   \$136,410,313     Procurement   \$0     Total Direct Charges   \$1,248,813   \$151,998,646     Indirect Costs: Rate   Base   \$5   \$0   \$5     Total Direct Charges   \$1,248,813   \$151,998,646     Indirect Costs: Rate   Base   \$0   \$5     Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)   \$1,248,813   \$151,998,646     Indirect Costs: Rate   \$1,000 or more)     24. Are any of these funds being used on extramural agreements? (See ltom 22f.)   \$\times \text{V96}\$    Type of Extramural Agreement   \$\times \text{Procurement}\$   Percurement     Contractor/Reciplent Name (if known)   Total Extramural Amount Under This Project   Percent Funded by EPA (if known)     Foster Wheeler   Total Extramural Amount Under This Project   Percent Funded by EPA (if known)     Total   S136,410,313,00   Part III - Funding Methods and Billing Instructions     (Note: EPA Agency Location Code (ALC) - 68010727)     Request for repayment of actual costs must be itemized on SF 1000 and submitted to the Financial Management Office, Cincinnal, Orl 48268-7002:   Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds accompletion of work will be returned to EPA Outerlaty cost reports will be refurned to EPA Outerlaty cost reports will be refurned to EPA Outerlaty cost reports will be reformed to EPA Program Office Allowance Poderal agencies, Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hidges. Financial Agency Staff Identification Number	d) Equipment			\$0				
9) Procurement / Assistance 9) Contraction 9) Contraction 9) Contraction 9) Contraction 9) Total Direct Charges 9) Indirect Charges 91, 1248,813 92, 50 93, 50 94, 70 95, 70 96, 70 97,	e) Supplies	<del></del>		\$0				
SO   SO   SO   SO   SO   SO   SO   SO		- Walter Carlotte Control of Carlotte Control	\$1,248,813	\$136,410,313				
Total Direct Charges   \$1,248,813   \$151,998,646   \$1,248,813   \$1,248,813   \$151,998,646   \$1,248,813				\$0				
(1) Total Direct Charges   \$1,248,813   \$151,996,648   \$1   \$10	h) Other			\$0				
			\$1,248,813	\$151,998,646				
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds?  24. Are any of these funds being used on extramural agreements? (See Item 22f.) Yes  Type of Extramural Agreement  Contractor/Reciplent Name (if known)  Foster Wheeler  Total Extramural Amount Under This Project  Percent Funded by EPA (if known)  Part III - Funding Methods and Billing Instructions  (Note: EPA Agency Location Code (ALC) - 68010727)  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Monthly  Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended tunds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies, Must receive prior approval by the Office of Comptoller, Budget Division, Budget Formulation and Control Branch, EPA Hidgirs, Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-228F, EPA, Washington, DC 20460.  Part III - Funding Methods and Billing Instructions  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial funding appropriate justification of need for this type of payment method. Unexpended tunds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies, Must receive prior approval by the Office of Comptoller, Budget Division, Budget Formulation and Control Branch, EPA Hidgirs, Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-228F, EPA, Washington, DC 20460.  Other Agenc	· · · · · · · · · · · · · · · · · · ·	<u>in dia di managan</u>						
Identify all equipment costing \$1,000 or more    24. Are any of these funds being used on extramural agreements? (See Itom 221.)   Yes   Type of Extramural Agreement   Yes		Agency Share 0.00 %)	\$1,248,813	\$151,996,646				
Type of Extramural Agreement  Contractor/Recipient Name (if known)  Foster Wheeler  Total Extramural Amount Under This Project  Percent Funded by EPA (if known)  136410313 100  Part III - Funding Methods and Biffling Instructions  (Note: EPA Agency Location Code (ALC) - 68010727)  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Repayment  Repayment  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Monthly  Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-228F, EPA, Washington, DC 20460.  28.  Funding Agency's Treasury Symbol  68-20X8145  Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency	(Identify all equipment costing \$1,000 o	r more)	-	⊠ No				
Total Extramural Amount Under This Project  Total \$ 1364(0.313.00)  Part III - Funding Methods and Biffling Instructions  (Note: EPA Agency Location Code (ALC) - 68010727)  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies, Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-228F, EPA, Washington, DC 20460.  Prunding Agency's Treasury Symbol 68-20X8145 Other Agency's IAG Identification Number  EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency	·	extramural agreements? (See Rom 221.)	ZX Yes	5.4 <u> </u>				
Part III - Funding Methods and Billing Instructions  (Note: EPA Agency Location Code (ALC) - 68010727)  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Monthly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgts. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.  25.  Funding Agency's Treasury Symbol 68-20X6145  Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency			<u> </u>					
Part III - Funding Methods and Billing Instructions  25. (Note: EPA Agency Location Code (ALC) - 68010727)  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Monthly  Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgtrs, Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.  26.  Funding Agency's Treasury Symbol 68-20XB145  Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency		Total Extramural Amount Unc						
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Other Agency's IAG Identification Number  EPA Program Office Allowance Holder/Resp. Center No.  Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency	•	•	· •					
Other Agency's IAG Identification Number  EPA Program Office Allowance Holder/Resp. Center No.  Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency			•					
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Other Agency's IAG Identification Number  EPA Program Office Allowance Holder/Resp. Center No.  Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency								
Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency	Funding Agency's Treasury Symbol	68-20X8145	<del></del>					
	Other Agency's IAG Identification Number	······································	EPA Program Office A	llowance Holder/Resp. Center No.				
	Other Agency's Billing Address (include AL	C or Station Symbol Number)	Other Agency's Billing	Instructions and Frequency				
		A service of		\$ 100 mg				

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Part IV - Acceptance Conditions	EF	PA Identification Number
		DW-96-94018901 - X
General Conditions		
The other agency covenants and agrees that it will expeditiously initiate an have been awarded under this agreement.	d complete the project for which fun	ds /
Special Conditions (Attach additional sheets if needed)	,	
	<u> </u>	
Part V - Offer an te: 1) For Disbursement actions, the agreement/amendment must be signants administration Division for Headquarters agreements or to the appropriet or within any extension of time as may be granted by EPA. The agree ceptance signature.	ned by the other agency official in d riate EPA Regional IAG administrat ment/amendment must be forward	ion office within 3 calendar weeks after ed to the address cited in item 29 after
eceipt of a written refusal or failure to return the properly executed document ange to the agreement/amendment by the other agency subsequent to the termines to materially alter the agreement/amendment, shall void the agree	document being signed by the EPA ment/amendment.	Action Official, which the Action Official
For Reimbursement actions, the other agency will initiate the action and for fice for signature. The agreements/amendments will then be forwarded to half of the EPA. One original copy will be returned to the other agency after	the appropriate EPA IAG administr	idments to the appropriate EPA program ation office for acceptance signature on
A IAG Administration Office (for administrative assistance)	EPA Program Office (for techni	cal assistance)
Organization/Address	30. Organization/Address	
US EPA R1	US Environmental Protection	n Adancy
US EPA R1 Grants Management Office	US Environmental Protection	n Agency
	Region 1	
Grants Management Office	1	
Grants Management Office 1 Congress Street, Suite 1100	Region 1 1 Congress Street, Suite 11	
Grants Management Office 1 Congress Street, Suite 1100	Region 1 1 Congress Street, Suite 11	
Grants Management Office 1 Congress Street, Suite 1100	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023	
Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023  ation m and all attachments thereto are tr	DD. ue, accurate, and
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowingly for	Region 1 1 Congress Street, Suite 11 Boston, MA 02114-2023 cation m and all attachments thereto are tracks or misleading statements may the statements of the statement of th	ue, accurate, and be punishable by
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowingly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ	Region 1 1 Congress Street, Suite 11 Boston, MA 02114-2023 cation m and all attachments thereto are tracks or misleading statements may the statements of the statement of th	ue, accurate, and be punishable by
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowlngly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ  Sypod Name and Title	Region 1 1 Congress Street, Suite 11 Boston, MA 02114-2023 cation m and all attachments thereto are tracks or misleading statements may the statements of the statement of th	ope, accurate, and pe punishable by  Office
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowlngly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ  Sylandere  Yopod Name and Title	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023 cation m and all attachments thereto are training or misleading statements may imment Protection Agency Program	ope, accurate, and pe punishable by  Office
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowingly fine or imprisonment or both under applicable law.  Decision Official an Behalf of the Environ  Synature  Typed Name and Title  James T. Owens, III, Dir. Official on Behalf of the Environ  Action on Behalf of the Environers.	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023 cation m and all attachments thereto are training or misleading statements may imment Protection Agency Program	ope, accurate, and pe punishable by  Office
Grants Management Office 1 Congress Street, Suite 1100 Boston, MA 02114-2023  Certific All signers certify that the statements made on this for complete. Signers acknowledge that any knowlngly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ Signature  Vyped Name and Title  James T. Owens, III, Dir. Official on Behalf of the Environ  Action on Behalf of the Environ  Typed Name and Title	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023 cation m and all attachments thereto are training or misleading statements may imment Protection Agency Program	on.  The accurate, and the punishable by  Office  Date  Date
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowlngly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ  Signature  Vyped Name and Title  James T. Owens, III, Dir. Official on Behalf of the Environ  Action on Behalf of the Environ  Typed Name and Title	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023 cation m and all attachments thereto are trailed or misleading statements may iment Protection Agency Programment or Site Remediation and Restont onment Protection Agency Admin. & Resource Management	on.  The accurate, and the punishable by  Office  Date  Date
Grants Management Office  1 Congress Street, Suite 1100  Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowingly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ  Signature  Jumes T. Owens, III, Dir. Office of Company of the Environ on Behalf of the Environ  Action on Behalf of the Environ  Typed Name and Title  Linda Murphy, Dir. Office of	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023 cation m and all attachments thereto are trailed or misleading statements may iment Protection Agency Programment or Site Remediation and Restont onment Protection Agency Admin. & Resource Management	Date
Certific  1 Congress Street, Suite 1100 Boston, MA 02114-2023  Certific  All signers certify that the statements made on this for complete. Signers acknowledge that any knowlngly fine or imprisonment or both under applicable law.  Decision Official on Behalf of the Environ  Signature  Vypod Name and Title  James T. Owens, III, Dir. Office of Authorizing Official on Be  Authorizing Official on Be  Typed Name and Title  Linda Murphy, Dir. Office of Authorizing Official on Be  Typed Name and Title	Region 1 1 Congress Street, Suite 111 Boston, MA 02114-2023 cation m and all attachments thereto are trailed or misleading statements may iment Protection Agency Programment or Site Remediation and Restont onment Protection Agency Admin. & Resource Management	one, accurate, and one punishable by  Office  Date  S. G. D. S. C.

1. EPA IAG identification Number

DW-96-94018901 - Y

Augmentation: Increase

1616 Capitol Ave., Suite 9200, CEHNC-CX-ES

7. Name and Address of Other Agency Corps of Engineers-Omaha District

Omaha, NE 68102-9200

DUNS: 153562384

Page 1

4. Funding Location by Region



United States Environmental Protection Agency Washington, DC 20460

#### 2. Other Agency IAG ID Number Interagency Agreement

### **Amendment**

Part 1 - General Information

3. Type of Action

EPA R1 5. Program Office

Abbreviation Region 1

6. Name and Address of EPA Organization US Environmental Protection Agency Contracts Management Section, HBS 1 Congress Street, Suite 1100 Boston, MA 02114-2023

DUNS: 029128894

8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335.

This amendment increases this IAG by \$450,070 and it revises the budget object classes.

9. EPA Project Officer (Name, Address, Phone Number) Filomena Dinardo 1 Congress Street, Suite 1100 Boston, MA 02114-2023 617-918-1425

10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Omaha, NE 68102-9200 402-697-2425

12. Budget Period 02/01/1999 to 12/31/2019

13. Scope of Work

02/01/1999 to 12/31/2019

11. Project Period

Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stanls 617-918-1173

14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(A)(4) & 115

15. Other Agency Type Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total \$152,446,716		
16. EPA Amount	\$151,996,646	\$450,070			
17. EPA In-Kind Amount	\$0		\$0		
18. Other Agency Amount	\$0	· ·	. \$O		
19. Other Agency In-Kind Amt.	\$0 .		\$0_		
20. Total Project Cost	\$151,996,646	\$450,070	\$152,446,716		

Ĺ	21. Fiscal									
S	ite Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
		RSP002	2008	TR1	1A00R	302DD2C	2507	0143RA01	C003	450,070
L				,	4					450,070

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-98-94018901 - Y **EPA IAG Identification Number** Part II - Approved Budget DW-96-94018901 - Y Itemization of 22. Budget Categories Itemization of Total Project This Action **Estimated Cost to Date** \$16,550,403 (a) Personnel \$964,070 \$0 (b) Fringe Benefits c) Travel \$0 \$0 (d) Equipment \$0 (e) Supplies \$135,896,313 (f) Procurement / Assistance \$-514,000 (g) Construction \$0 \$0 (h) Other \$152,446,716 (i) Total Direct Charges \$450,070 \$0 []) Indirect Costs: Rate % Base \$ (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$450,070 \$152,446,716 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ⊠ No (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Yes Procurement Type of Extramural Agreement Percent Funded by EPA (If known) Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Foster Wheeler 136410313 Total \$ 136,410,313.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: Disbursement Agreement Repayment | Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 26. Funding Agency's Treasury Symbol 68-20X8145 Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly EPA Form 1610-1 (Rev. 10-88). Previous editions are

EPA Form 1610-1 (Rev. 14-88) Previous editions are obsolete.

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	EPA IAG Identification No.DW-96-94018901 - Y Page 3
Part IV - Acceptance Condition	ons EPA Identification Number
	DW-96-94018901 - Y
	DIV-02 9-0 10001
7. General Conditions	the and annual to the agreement for which from the
The other agency covenants and agrees that it will expeditiously initi- have been awarded under this agreement.	late and complete the project for which furios
8. Special Conditions (Attach additional sheets if needed)	
lote: 1) For Disbursement actions, the agreement/amendment must Strants Administration Division for Headquarters agreements or to the a	fer and Acceptance to be signed by the other agency official in duplicate and one original returned to the appropriate EPA Regional IAG administration office within 3 calendar weeks after agreement/amendment must be forwarded to the address cited in item 29, after
	cument within the prescribed time may result in the withdrawal of offer by EPA. Any to the document being signed by the EPA Action Official, which the Action Official agreement/amendment.
<ol> <li>For Reimbursement actions, the other agency will initiate the action affice for signature. The agreements/amendments will then be forward behalf of the EPA. One original copy will be returned to the other agency</li> </ol>	and forward two original agreements/amendments to the appropriate EPA program ded to the appropriate EPA IAG administration office for acceptance signature on by after acceptance.
PA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
9. Organization/Address	30. Organization/Address
US EPA R1	US Environmental Protection Agency
	Region 1
1 Congress Street, Suite 1100	1 Congress Street, Suite 1100
Boston, MA 02114-2023	Boston, MA 02114-2023
Co	ertification
All signers certify that the statements made on t	this form and all attachments thereto are true, accurate, and vingly false or misleading statements may be punishable by
	nvironment Protection Agency Program Office
1. Signature A Name and Title	Date Date
James T. Owens, III, [	Dir. Office of Site Remediation and Restoration 9-77-28
	e Environment Protection Agency
2. Signature Typed Name and Title	Date Date
Linda Murphy, Dir. Off	fice of Admin, & Resource Management $9/17/08$
	on Behalf of the Other Agency
3. Signarure Typed Name and Title	1}
/ Y WWW ( Aw Mark J. Otis, Chief, Er	nvironmental Project Management Branch 9/17/08

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Page 1 United States Environmental 1. EPA IAG Identification Number 4. Funding Location by Region Protection Agency Washington, DC 20460 DW-96-94018901 - Z EPA RT 2. Other Agency IAG ID Number 5. Program Office **Interagency Agreement Abbreviation** 3. Type of Action Region 1 Amendment Augmentation; Increase Part 1 - General Information 7. Name and Address of Other Agency 6. Name and Address of EPA Organization US Environmental Protection Agency Corps of Engineers-Omaha District 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Contracts Management Section, HBS Omaha, NE 68102-9200 1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 153562384 DUNS: 029128894 8. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases this IA by \$5,600,000. 9. EPA Project Officer (Name, Address, Phone Number) 10. Other Agency Project Officer (Name, Address, Phone Number) Filomena Dinardo Marvene Seaman 1 Congress Street, Suite 1100 1616 Capitol Ave., Suite 9200, CEHNC-CX-ES Boston, MA 02114-2023 Omaha, NE 68102-9200 617-918-1425 402-697-2425 11. Project Period 12. Budget Period 02/01/1999 to 12/31/2019 02/01/1999 to 12/31/2019 13. Scope of Work Please refer to existing Scope of Work EPA Grants Specialist for this IAG is MaryEllen Stants 617-918-1173 15. Other Agency Type 14. Statutory Authority for Both Transfer of Funds and Project Activities Federal Agency CERCLA: Secs. 105(A)(4) & 115 Funds Amount This Action Amended Total Previous Amount 16. EPA Amount \$5,600,000 \$158,046,718 \$152,446,716 17. EPA In-Kind Amount \$0 18. Other Agency Amount \$0 19. Other Agency In-Kind Amt. \$0 \$0 20. Total Project Cost \$5,600,000 \$158,046,716 \$152,446,716 21. Fiscal Site Name DCN Approp. Budget Org. PRC Object Site/Project Cost Org. Obligation **RAP018** 302DD2C 2009 2506 0143RA01 1A00R C003 3,800,000 **RAP018** 2009 TR2B 1A00R 302DD2C 2506 0143RA01 C003 1,800,000 5,600,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-96-94018901 - Z Page 2 Part II - Approved Budget **EPA IAG Identification Number** DW-96-94018901 - Z 22. Budget Categories Itemization of Itemization of Total Project This Action Estimated Cost to Date \$400,000 (a) Personnel (b) Fringe Benefits \$0 (c) Travel \$0 (d) Equipment (e) Supplies (f) Procurement / Assistance \$5,200,000 \$141,096,313 (g) Construction (h) Other (i) Total Direct Charges \$5,600,000 \$158,046,716 (j) Indirect Costs: Rate % Base \$ \$158,046,716 \$5,600,000 (EPA Share 100.00 %) (Other Agency Share 0.00 %) ⊠ No 23. Is aquipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) Procurement Type of Extramural Agreement Contractor/Recipient Name (If known) Total Extramural Amount Under This Project Percent Funded by EPA (If known) 141096313 Foster Wheeler Total \$ 141,096,313.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: Disbursement Agreement Repayment | Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Olvision, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. Funding Agency's Treasury Symbol 68-20X8145 Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No. Other Agency's Billing Address (Include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly

EPA IAG identification No.DW-96-94018901 - Z Page 3 **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - Z 27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds. have been awarded under this agreement. 28. Special Conditions (Attach additional sheets if needed) Part V - Offer and Acceptance 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after recept or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially after the agreement/amendment, shall void the agreement/amendment. 2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on be half of the EPA. One original copy will be returned to the other agency after acceptance. EPA Program Office (for technical assistance) EP-AIAG Administration Office (for administrative assistance) 29. Organization/Address 30. Organization/Address US EPA R1 US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 1 Congress Street, Suite 1100 Boston, MA 02114-2023 Boston, MA 02114-2023 Certification All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law. Decision Official on Behalf of the Environment Protection Agency Program Office Typed Name and Title Date James T. Owens, III, Dir. Office of Site Remediation and Restoration ction on Behalf of the Environment Protection Agency Linda Murphy, Dir. Office of Admin. & Resource Management Authorizing Official on Behalf of the Other Agency Typed Name and Title Mark J. Otls, Chief, Environmental Project Management Branch

Previous editions are obsolete.



# United States Environmental Protection Agency Washington, DC 20460

#### 1. EPA IAG Identification Number DW-96-94018901 - a

4. Funding Location by Region EPA/R1

Interagency Agreement 2: Other Agency IAG ID Number

5. Program Office Abbreviation

Amendment
Part 1 - General Information

Augmentation: Increase

7. Name and Address of Other Agency

Region 1

Name and Address of EPA Organization
 US Environmental Protection Agency
 Contracts Management Section, HBS
 1 Congress Street, Suite 1100
 Boston, MA 02114-2023

Corps of Engineers-Omaha District
1616 Capitol Ave., Suite 9200, CEHNC-CX-ES
Omaha, NE 68102-9200

3. Type of Action

DUNS: 153562384

1 Congress Street, Suite 1100 Boston, MA 02114-2023 DUNS: 029128894

Project Title and Description
 Remedial Action for clean-up of Upper and Lower Harbor at
 New Bedford Superfund Site, New Bedford, MAD980731335.

 This amendment increases this IA by \$9,686,000.

EPA Project Officer (Name, Address, Phone Number)
 Filomena Dinardo
 Congress Street, Suite 1100
 Boston, MA 02114-2023
 617-918-1425

Please refer to existing Scope of Work

10. Other Agency Project Officer (Name, Address, Phone Number)
Marvene Seaman
1616 Capitol Ave., Suite 9200, CEHNC-CX-ES
Omaha, NE 68102-9200

402-697-2425

11. Project Period 02/01/1999 to 12/31/2019

13. Scope of Work

12. Budget Period 02/01/1999 to 12/31/2019

EPA IA Specialist for this IA is MaryEllen Stanis 617-918-1173

14. Statutory Authority for Both Transfer of Funds and Project Activities

15. Other Agency Type Federal Agency

CERCLA: Secs. 105(A)(4) & 115	rederal Agency		
Funds	. Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$158,046,716	\$9,686,000	\$167,732,716
17. EPA In-Kind Amount	\$0		\$0
18. Other Agency Amount	\$0		\$0
19, Other Agency In-Kind Amt.	\$0		.\$0
20. Total Project Cost	\$158,046,716	\$9,686.000	\$167,732,716

	21. Fiscal								
Site Name	DEN	FY	Approp.	Budget Org;	PRC	Object	Site/Project	Cost Org.	Obligation
	RAP026 RAP026	2009 2009	T TCD	1A00R 1A00R	302DD2C 302DD2C	2506 2506	0143RA01 0143RA01		9,400,000 286,000
									9,686,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

EPA IAG Identification No. DW-96-94018901 - a Part II - Approved Budget **EPA IAG Identification Number** DW-96-94018901 - a 22. Budget Categories Itemization of Itemization of Total Project **Estimated Cost to Date** This Action a) Personnel \$230,000 \$17,180,403 (b) Fringe Benefits (c) Travel (d) Equipment \$0 (e) Supplies (f) Procurement / Assistance \$9,456,000 \$150,552,313 (g) Construction (h) Other (i) Total Direct Charges \$9,686,000 \$167,732,716 (j) Indirect Costs: Rate % Base \$ \$0 (EPA Share 100.00 %) (Other Agency Share 0.00 %) \$9,686,000 \$167,732,716 23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? 🛄 Yes🔀 No (Identify all equipment costing \$1,000 or more) 24. Are any of these funds being used on extramural agreements? (See Item 22f.) X Yes No | Procurement Type of Extramural Agreement Cooperative Agreement Contractor/Recipient Name (if known) Total Extramural Amount Under This Project Percent Funded by EPA (if known) Foster Wheeler Total \$ 150,552,313.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Disbursement Agreement Management Office, Cincinnati, OH 45268-7002: Repayment Quarterly Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need-Advance for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center; EPA, Cincinnati, OH Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior Allocation Transfer-Out approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. Reimbursement Agreement Repayment Advance \_\_\_ Allocation Transfer-In Funding Agency's Treasury Symbol 68-20X8145 One-Year Two-Year No-Year Other Agency's IAG Identification Number EPA Program Office Allowance Holder/Resp. Center No.

Other Agency's Billing Instructions and Frequency

Monthly

Other Agency's Billing Address (include ALC or Station Symbol Number)

Part IV - Acceptance Conditions	EPA Identification Number
	DW-96-94018901% a
27. General Conditions	
The other agency covenants and agrees that it will expeditiously initiate and have been awarded under this agreement.	d complete the project for which funds
28. Special Conditions (Attach additional sheets if needed)	
Part V - Offer and Note: 1) For Disbursement actions, the agreement/amendment must be sign Grants Administration Division for Headquarters agreements or to the approprietely or within any extension of time as may be granted by EPA. The agree acceptance signature.  Receipt of a written refusal or failure to return the properly executed document change to the agreement/amendment by the other agency subsequent to the design of the agreement/amendment by the other agency subsequent to the design of the agreement/amendment by the other agency subsequent to the design of the agreement/amendment by the other agency subsequent to the design of the agreement/amendment by the other agency subsequent to the design of the agreement/amendment by the other agency subsequent to the design of the agreement actions.	ned by the other agency official in duplicate and one original returned to the late EPA Regional IAG administration office within 3 calendar weeks after ment/amendment must be forwarded to the address cited in item 29 after within the prescribed time may result in the withdrawal of offer by EPA. Any
determines to materially after the agreement/amendment; shall void the agreem	
2) For Reimbursement actions, the other agency will initiate the action and for office for signature. The agreements/amendments will then be forwarded to the behalf of the ERA. One original copy will be returned to the other agency after a	he appropriate EPA IAG administration office for acceptance signature on
EPA IAG Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)
29. Organization/Address	30. Organization/Address
US EPA R1  1 Congress Street, Suite 1100  Boston, MA 02114-2023	US Environmental Protection Agency Region 1 1 Congress Street, Suite 1100 Boston, MA 02114-2023
Certific	ation
All signers certify that the statements made on this form complete. Signers acknowledge that any knowingly fail fine or imprisonment or both under applicable law.	n and all attachments thereto are true, accurate, and lse or misleading statements may be punishable by
Decision Official on Behalf of the Environment	nent Protection Agency Program Office
31. Signature Typed Name and Title	Date
MIN MARY Sames T. Owens, III, Dir. Offi	ce of Site Remediation and Restoration 5.5.5.01
Action on Behalf of the Enviro	onment Protection Agency
32. Signature Typed Name and Title	Date
Linda Murphy, Dir. Office of A	dmin. 8 Resource Management 5/5/09
Authorizing Official on Beh	nalf of the Other Agency
33. Signature / Typed Name and Title	Date / / a
Mark J. Otis, Chief, Environm	ental Project Management Branch 5/6/09
EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.	

2. Funding Location United States Environmental . EPA IA Identification Number DW-96-94018901 - b **Protection Agency** by Region Washington, DC 20460 EPA R1 3. Other Agency IA ID Number (if known) 4. Awarding Office Interagency Agreement/ ASSC West **Amendment** Part 1 - General Information 5. Type of Action No Cost Amendment 6. Name and Address of EPA Organization 7. Name and Address of Other Agency US Environmental Protection Agency U.S. Army Corps of Engineers EM CX IASSC WEST 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) 1200 Sixth Avenue, Suite 900, OMP-145 Omaha, NE 68102-9200 Seattle, WA 98101 8. DUNS: 029128894 9. BETC: DISB 11. BETC: COLL 10. DUNS: DOD964126 12. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment reflects a change in the EPA Project Officer to Robert Shewack, changes the IA Specialist to Grady Maxwell, and updates the USACE Superfund Terms and Conditions to comply with IA guidance. 13. EPA Project Officer (Name, Address, Telephone Number) 14. Other Agency Project Officer (Name, Address, Telephone Number) Robert Shewack Marvene Seaman 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Boston, MA 02109-3912 Omaha, NE 68102-9200 617-918-1428 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil E-Mail: shewack.robert@epa.gov FAX:: FAX: 15. Project Period: 02/01/1999 to 12/31/2019 IA Specialist: Grady Maxwell 206-553-0241 16. Scope of Work (See Attachment) No change in the Scope of Work 17. Employee/Tax ID No. 520852695 18. CAGE No: 347A4 19. ALC: 68-01-0727 21. Other Agency Type 20. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(A)(4) & 115 Federal Agency 22. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable) Previous Funding Amended Total This Action Revise Reimbursable (in-house) 17,180,403 17,180,403 150,552,313 Direct Fund Cite (contractor) 150,552,313 Total 167,732,716 167,732,716 Funds Previous Amount Amount This Action Total Amount 23. EPA Amount \$167,732,716 \$167,732,716 24. EPA In-Kind Amount \$0 25. Other Agency Amount \$0 \$0 26. Other Agency In-Kind Amount 27. Total Project Cost \$167,732,716 \$167,732,716 28. Fiscal Information Appropriation Cost Org Treas. Symbol DCN FY **Budget Org** PRC-Object Class Site/Project Ob/De-Ob Amt

EPA IAG Identification No. DW-96-94018901 - b **EPA IAG Identification Number** Part II - Approved Budget DW-96-94018901 - h 29. Budget Categories Itemization of In-Kind Itemization of Itemization of Total Itemization of This **All Previous Actions** This Action **Project Cost to Date** Action (a) Personnel \$17,180,403 \$17,180,403 (b) Fringe Benefits \$0 (c) Travel \$0 \$0 (d) Equipment \$0 \$0 (e) Supplies \$0 \$0 (f) Procurement / Assistance \$150,552,313 \$150,552,313 (g) Construction (h) Other \$0 (i) Total Direct Charges \$167,732,716 \$167,732,716 . \$0 \$0 (j) Indirect Costs: ·\$0 : \$0 \$0 Charged - Amount , Rate: % Base: \$ Not Charged: Funds-In: Not charged by EPA Amount \$ Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$ Exempt (Working Capital Fund, Shared Services, etc.) (k) Total \$167,732,716 \$167,732,716 (EPA Share 100.00 %) (Other Agency Share 0.00 %) 30. How was the IDC Base calculated? 31. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? 🔲 Yes🖂 No (Identify all equipment costing \$1,000 or more) 32. Are any of these funds being used on extramural agreements? Yes No Type of Extramural Agreement Contractor/Recipient Name (if Total Extramural Amount Under This Project Percent Funded by EPA (if known) known) Foster Wheeler 150552313 100 Total \$ 150,552,313.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Disbursement Agreement Office, Cincinnati, OH 45268-7002: Repayment Monthly Monthly Quarterly Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this Advance type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior Allocation Transfer-Out approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. 34. Reimbursement Agreement Repayment Advance Allocation Transfer-In Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency Monthly

EPA Form 1610-1 (Rev. 08-08). Previous editions are obsolete

EPA IAG Identification No.DW-96-94018901 - b Page 3

# Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - b

35. Terms and Conditions (See attached terms and conditions, Attachment B)

# Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

<b>EPA IA Administration Office (for administ</b>	rative assistance)	EPA Program Office (for technical assistance	9)	
36. Organization/Address		37. Organization/Address		
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100, Mail Code Boston, MA 02109-3912	: OSRR01-5	
	Award Official on Behalf of th	e Environment Protection Agency	·	
38. Signature	Typed Name and Title	Date		
•	Armina K. Nolan, Manager - Grants and Interagency Agreements Unit		01/29/2010	
,	Authorizing Official on	Behalf of the Other Agency	-	
39. Signature	Typed Name and Title		Date	
	Mark J. Otis, Chief, Environme	ntal Project Management Branch	02/19/2010	

EPA Form 1610-1 (Rev. 08-08) Previous editions are obsolete

# IA Terms and Conditions

# **USACE Special Terms and Conditions**

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

## 1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

#### a. Direct Costs

- Payroll timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

#### b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

# 2. Reporting Requirements

a. The USACE will provide monthly progress reports to the EPA Remedial Project Manager (RPM) listed on the IA form, and to the EPA Regional IA Coordinator or Regional Project Officer who is assigned to coordinate IAs within the Regional office. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The

monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountering during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".
- b. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <a href="http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment:pdf">http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment:pdf</a>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. The USACE project manager will provide a copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Regional IA Coordinator and to the EPA Remedial Project Manager. If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the RPM to the USACE project manager.
- c. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

# 3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation to provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

## 4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

# 5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

# 6. Audits

- a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.
- b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

## 7. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

# 8. Other EPA involvement

- a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- b. If the Direct Fund Cite Method does <u>not</u> apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.
- d. EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

# 9. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

# 10. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to

comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

Each year, the USACE will provide the RPM with a report providing the total amount of procurement dollars awarded and the amount and percentage of such funds awarded to MBEs and WBEs associated with the IA. In addition, the USACE agrees to submit a report to EPA showing the total amount of procurement dollars awarded and the amount and percentage of such funds awarded to MBEs and WBEs on EPA Forms 6005-3 and 6005-3a by December 15th of the current year. Reports should be submitted to:

Office of Small Business Program
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW (Mail Code: 1230T):
Washington, D.C. 20460

# 11. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that my occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 45675; and Section 125(e) of CERCLA, as amended.
- f. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- g. If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

# 12. Timeliness of Deliverable Review

All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.

# 13. Confidential Business Information Protection

Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information

(CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentially. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

# 14. Change of EPA Project Officer

If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.

# 15. Annual Survey

On an annual basis, EPA will conduct a performance feedback survey to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

# 16. Resolution of Disagreements :

Should disagreement arise concerning the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for Intra-Governmental Transactions delineated in the Treasury Financial manual, Volume 1, Bulletin 2007-03, Section VII, Resolving Intra-governmental Disputes

# 17. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at:

http://www.epa.gov/fedfac/documents/qualityassurance.htm and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP Manual" and also at Part 2A, Part 2A(e), and Part 2B.

THIS ENDS INTERAGENCY AGREEMENT DW-96-94018901-b

		United States Environ Protection Age Washington, DC	ncy		fication Numbe DW-96-9401890	•	2. Funding by Region	
S. Company	Taras II	Interagency Agr Amendme	eement/	3. Other Agency	IA ID Number	(if known)	4. Awardin ASSC Wes	•
	Transfer of the same of the sa	Part 1 - General In	formation	••	n wgmentation: ir	crease		
8. Name and Addre US Environmental IASSC WEST 1200 Sixth Avenue Seattle, WA 98101	Protection Age	ncy	,	U.S. Army Co	dress of Other trps of Engineer tve., Suite 9200 8102-9200	6 EM CX	5)	
8. DUNS: 02912889	14	9. BETC: DISB		10. DUNS: DOC	984128	11. BET	C: COLL	
13. EPA Project Off Robert Shewack	licer (Name, Ad Jare, Suite 100,	ral funding by \$5,000,000. dress, Telaphone Number) Mail Code: OSRR01-5	·	Marvene Sea	Ave., Sulte 9200 8102-9200		t	ne Number)
E-Mail: shewack.	vog.sqe.hedor				ens.l.seaman@ı	sece.amy.mil		
FAX: 15. Project Period:	01/31/1000 to	12/30/2019	<del></del>		Brady Maxwell	200 550 0041		
16. Scope of Work No change in the		nt)						
		5 18. CAGE	No: 347A4		19. ALC	: 68-01-07 <u>2</u> 7		
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20. Statutory Autho	rity for Transfe	r of Funds and Interagency						vgency Type
20. Statutory Autho CERCLA: Secs. 1	rity for Transfe 05(a)(4) & 115;	r of Funds and Interagency Executive Order 12580 as an	nended	licable)			Federal .	
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20. Statutory Autho CERCLA: Secs. 1: 22. Revise Reimbur Revise Reimbursab Direct Fund Cite (co Total  Fund 23. EPA Amount 24. EPA In-Kind Am 25. Other Agency Ar 26. Other Agency In 27. Total Project Co	rity for Transfe 05(a)(4) & 115; eable Funds at the (in-house) contractor) is count mountKind Amount est	r of Funds and Interagency Executive Order 12580 as an ad Direct Fund Cites (only o Previous Fund  Previous Amos \$	nended complete if app ing 17,180,403 150,552,313 167,732,716 unt 167,732,716 \$0 \$0	Amoun	4, 5,6 t This Action \$5,00	750,000 000,000 00,000	Federal Amended	Agency  I Total  17,430,46  155,302,31  172,732,71  nount  \$172,732,716  \$0  \$0

<u></u>			EPA IAG Identification No.	DW-88-94018901 - g Page 2
	Part II - Approved	Budget		EPA IAG Identification Number DW-98-94018901 - c
29. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	in-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,180,403	\$70,000		\$17,250,403
(b) Fringe Benefits	\$0	\$37,100		\$37,100
(c) Travel	\$0	\$1,300		\$1,300
(d) Equipment	\$0			\$0
(e) Supplies	\$o			· So
(f) Procurement / Assistance	\$150,552,313	\$4,750,000		\$155,302,313
(g) Construction	\$0		<del></del>	. \$0
(h) Other	\$0	\$70,000		\$70,000
(i) Total Direct Charges	\$167,732,716	\$4,928,400	\$0	\$172.661,116
(j) Indirect Costs:	\$0	\$71,600	\$0	\$71,600
Rate: 67% Base: \$107.100.00 Not Charged: Funds-In: Not charged by EPA Amount \$ Funds-Out: Not charged by Other A Estimate by other Agenc Amount \$				
Exempt (Working Capital Fund, Sha	red Services, etc.)			
(k) Total	\$167,732,716	\$5,000,000	\$0	\$172,732,716
(EPA Share 100.00 %)	[			
(Other Agency Share 0.00 %)				
30. How was the IDC Base calculate				
31. Is equipment authorized to be for (identify all equipment coating states)	1,000 or more)			INO
32. Are any of these funds being us	ed on extramural agreeme	nts? Yes N	ło	<u> </u>
Type of Extramural Agreement Contractor/Recipient Name (if known)	Total Extra	nural Amount Under T	his Project	Percent Funded by EPA (if known)
Foster Wheeler		<u> </u>	150552313	100
Unknown			4750000	100
<u> </u>			Total \$ 155,302,313.00	
		ng Methods and Bi		
33.	(Note: EPA Agenc	·		
Disbursement Agreement	Office, Cincinnati, OH 4		itemized on SF 1080 and s	submitted to the Financial Management
⊠ Repayment		Quarterly	Upon Com	pletion of Work
Advance	type of payment method	i. Unexpended funds at		appropriate justification of need for this returned to EPA. Quarterly cost reports 145268-7002.
Allocation Transfer-Out	approval by the Office	of Comptroller, Budget ports to the Financial	Division, Budget Formula	Federal agencies. Must receive prior tion and Control Branch, EPA Hdqtrs. anch, Financial Management Division,
34. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance		
Other Agency's Billing Address (Inci	ude ALC or Station Symbo	of Number)	Other Agency's Billing I	nstructions and Frequency
			Monthly	,
PA Form 1610-1 (Rev. 08-08). Previous edi				·

EPA IAG Identification No.DW-68-94016901 - c **EPA Identification Number** Part IV - Acceptance Conditions -DW-96-94018901 - c 35. Terms and Conditions (See attached terms and conditions, Attachment B) Part V - Offer and Acceptance Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance Failure to return the property executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially after the agreement/amendment, shall void the agreement/amendment. B) For Funds-in actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance. EPA | A Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 37. Organization/Address 38. Organization/Address U.S. Environmental Protection Agency US Environmental Protection Agency **IASSC West** R1 - Region 1 1200 Sixth Avenue, Suite 900, OMP-145 5 Post Office Square, Sulte 100, Mail Code: OSRR01-5 Seattle, WA 98101 Boston, MA 02109-3912 Award Official on Behalf of the Environment Protection Agency 38. Signature Typed Name and Title Armina K. Nolan, Manager - Grants and Interagency Agreements Unit Authorizing Official on Behalf of the Other Agency Typed Name and Title Mark J. Otis, Chief, Environmental Project Management Branch EPA Form 1610-1 (Rev. 08-08) Previous editions are obsolete.

• •	•		Page 1
	United States Environmenta Protection Agency Washington, DC 20460	1. EPA IA Identification Number DW-96-94018901 -	2. Funding Location
So There says of	Interagency Agreeme Amendment	3. Other Agency IA ID Number (i	if known) 4. Awarding Office IASSC West
WALL PROTECTO	Part 1 - General Informat	ion 5. Type of Action Augmentation: Incre	6. IA Specialist: Cathy Reese 206-553-6286 Reese.Cathy@epa.gov
7. Name and Address of EPA ( US Environmental Protection Ag IASSC West 1200 Sixth Avenue, Suite 900, C	ency	8. Name and Address of Other A U.S. Army Corps of Engineers EM 1616 Capitol Ave., Suite 9200 (CE Omaha, NE 68102-9200	Agency 1 CX
Seattle, WA 98101	40 0570, 0100		Lia nera coli
9. DUNS: 029128894	10. BETC: DISB	11. DUNS: DOD964126	12. BETC: COLL
13. Project Title and Description Remedial Action for clean-up of New Bedford Superfund Site, North amendment increases Federate new IA guidance.	Upper and Lower Harbor at ew Bedford, MAD980731335.	IA Specialist to Cathy Reese, and updates	the Terms and Conditions to comply with
Robert Shewack 5 Post Office Square, Suite 100, Boston, MA 02109-3912 617-918-1428 E-Mail: shewack.robert.epa.gov FAX: 617-918-0428	Mail Code: OSRR01-5	Marvene Seaman 1616 Capitol Ave., Suite 9200 (CE Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace FAX:	
16. Project Period: 02/01/1999	to 12/30/2019	17. Budget Period: 02/01/1999 to	to 12/30/2019
18. Scope of Work (See Attach The Scope of Work Remains the	ment) Same.	·	•
19. Employer/Tax ID No. 52085			68-01-0727
CERCLA: Secs. 105(a)(4) & 115		<u> </u>	23. Other Agency Type Federal Agency
24. Revise Reimbursable Fund	s and Direct Fund Cites (only complete		· · · · · · · · · · · · · · · · · · ·
Povice Palmburgable (in house	Previous Funding e) 17,705	This Action	Amended Total
Revise Reimbursable (in-hous Direct Fund Cite (contractor)	155.027		
Total	172,732		
		, , , , , , , , , , , , , , , , , , , ,	1
	Previous Amount	Amount This Action	Total Amount
Funds			
25. EPA Amount	\$172,732	2,716 \$3,797,0	000 \$176,529,7
25. EPA Amount		2,716 \$3,797,0	\$176,529,7
25. EPA Amount 26. EPA In-Kind Amount		2,716 \$3,797,0	
25, EPA Amount 26, EPA In-Kind Amount 27, Other Agency Amount	\$172,732	2,716 \$3,797,0	
25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo	\$172,732		
25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo 29. Total Project Cost	\$172,732 unt		
Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo 29. Total Project Cost 30. Fiscal Information Treas. Symbol DCN	\$172,732 unt	2,716 \$3,797,0	
25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo 29. Total Project Cost 30. Fiscal Information	### \$172,732  unt   ### \$172,732    FY   Appropriation   Budge	2,716 \$3,797,0	000 <b>\$</b> 176,529,7

			EPA IAG Identification No. D	
	Part II - Approved	Budget	•	EPA IAG Identification Number DW-96-94018901 - d
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,250,403	\$125,290		\$17,375,693
(b) Fringe Benefits	\$37,100	\$66,404		\$103,504
(c) Travel	\$1,300	\$5,000		\$6,300
(d) Equipment	\$0	\$0		\$0
(e) Supplies	\$0	\$0		\$0
(f) Procurement / Assistance	\$155,027,313	\$3,122,000		\$158,149,313
(g) Construction	\$0	\$0	<u> </u>	\$0
(h) Other	\$345,000	\$349,871		\$694,871
(i) Total Direct Charges	\$172,661,116	\$3,668,565	\$0	\$176,329,681
(j) Indirect Costs:	\$71,600	\$128,435	,	\$200,035
Charged - Amount Rate: 67% Base: \$191,694.00 Not Charged: Funds-Out: Not charged by Other Agency				
Amount \$	£470 700 740 I	#2 707 000 I		\$176 500 746
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$172,732,716	\$3,797,000	\$0	\$176,529,716
32. How was the IDC Base calculate	d?			
33. Is equipment authorized to be full (Identify all equipment costing \$		, purchased, or rented v	with EPA funds?Yes	≾ No
34. Are any of these funds being us	ed on extramural agreeme	nts? Xes_N	)	
	Contract			
Contractor/Recipient Name (if known)	Total Extra	mural Amount Under T		Percent Funded by EPA (if known)
Faster Wheeler Unknown	`		150552313 7597000 Total \$ 158,149,313.00	100 100
	Part III - Fundir	ng Methods and Bi	lling Instructions	
35.	(Note: EPA Agenc	y Location Code (	ALC) - 68010727)	
∑ Disbursement Agreement	Request for repayment Office, Cincinnati, OH 4		itemized on SF 1080 and s	submitted to the Financial Management
Repayment	Monthly	Quarterly	Upon Comp	letion of Work
Advance	type of payment method	f. Unexpended funds at		appropriate justification of need for this eturned to EPA. Quarterly cost reports 45268-7002.
Allocation Transfer-Out	by the Office of Comp	troller, Budget Division,	Budget Formulation and	al agencies. Must receive prior approval Control Branch, EPA Hdqtrs. Forward Management Division, PM-226F, EPA,
36. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance		
Other Agency's Billing Address (incl	ude ALC or Station Symbo	ol Number)	Other Agency's Billing Ir	structions and Frequency

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete

EPA JAG Identification No.DW-96-94018901 - d **EPA Identification Number** Part IV - Acceptance Conditions DW-96-94018901 - d 37. Terms and Conditions (See attached terms and conditions, Attachment B) Part V - Offer and Acceptance Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially after the agreement/amendment, shall void the agreement/amendment. B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance. EPA IA Administration Office (for administrative assistance) EPA Program Office (for technical assistance) 38. Organization/Address 39. Organization/Address U.S. Environmental Protection Agency US Environmental Protection Agency **IASSC West** R1 - Region 1 1200 Sixth Avenue, Suite 900, OMP-145 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Seattle, WA 98101 Boston, MA 02109-3912 Award Official on Behalf of the Environment Protection Agency 40. Digital signature applied by EPA Award Official | Armina K. Nolan - Manager - Grants and Interagency Agreements Unit Date 03/16/2011 Authorizing Official on Behalf of the Other Agency 41. Signature Typed Name and Title Date

Scott Acone, Chief, Military & Environmental Project Management Branch

EPA Form 4510-1 (Rev. 11-09) Previous editions are obsolete.

# IA Terms and Conditions

# **USACE Special Terms and Conditions** - updated December 2010

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

# 1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

# a. Direct Costs

- Payroll timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

## b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

# 2. Reporting Requirements

a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site

activities.

b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which
  includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountering during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".
- c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <a href="http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf">http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf</a>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager. If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.
- d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

# 3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation to provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

# 4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

## 5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

#### 6. Audits

- a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.
- b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

# 7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

# 8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

# 9. Other EPA Involvement

- a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- b. If the Direct Fund Cite Method does <u>not</u> apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

#### 10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

#### 11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

# 12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: https://www.fpds.gov/fpdsng\_cms/.

# 13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentially. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI

claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

- i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.
- j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

# 14. Resolution of Disagreements

Should disagreement arise concerning the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for Intra-Governmental Transactions delineated in the Treasury Financial manual, Volume 1, Bulletin 2007-03, Section VII, Resolving Intra-governmental Disputes.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

## 15. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at: <a href="http://www.epa.gov/fedfac/documents/qualityassurance.htm">http://www.epa.gov/fedfac/documents/qualityassurance.htm</a> and with QMP guidelines found under

http://www.epa.gov/fedfac/documents/qualityassurance.htm and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP Manual" and also at Part 2A, Part 2A(e), and Part 2B.

END OF INTERAGENCY AGREEMENT NO. DW-96-94018901-d

OW96946189-01-e

		ted States Enviro Protection Age	ncy	1. EPA IA Idei	ntification Num DW-96-940189		Pag 2. Funding by Regio	
JUNIED STATES.		Washington, DC agency Agr Amendme	eement/	3. Other Agen	icy IA ID Numb	er (if known)	4. Awardir	
A A A A A A A A A A A A A A A A A A A	Part	Amendine 1 - General In		5. Type of Act	tion Augmentation: i	ncrease	6. IA Spec Cathy Ree	latist:
	*						206-553-62	286 ny@epa.gov
7. Name and Address of EPA US Environmental Protection A IASSC West 1200 Sixth Avenue, Suite 900,	gency		-	U.S. Army Cor	Address of Oth rps of Engineers Ave., Suite 9200 8102-9200	EM CX		пушера доч
Seattle, WA 98101								•
9. DUNS: 029128894	10. BET	C: DISB		11. DUNS: DO	D964126	12. BE	TC: COLL	*
Remedial Action for clean-up of New Bedford Superfund Site, N This amendment Increases Fed	New Bedford, M	AD980731335.	Ferms and Condi	itions remain the	e same.	•	•	
14. EPA Project Officer (Name, Address, Telephone Number) Robert Shewack 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912 617-918-1428 E-Mail: shewack.robert.epa.gov				15. Other Agency Project Officer (Name, Address, Telephone) Marvene Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: marvene.l.seaman@usace.army.mil				
FAX: 617-918-0428			1	FAX:		0000.00.00		
16. Project Period: 02/01/1999	to 12/30/2019	)		17. Budget Pe	priod: 02/01/199	9 to 12/30/201	9	
18. Scope of Work (See Attac The Scope of Work Remains th	e Same.			·				
19. Employer/Tax ID No. 5208			No: 347A4		21. AL	C: 68-01-0727		
22. Statutory Authority for Tra CERCLA: Secs. 105(a)(4) & 11	5 and Executive	e Order 12580	• •				23. Other a	Agency Type Agency
24. Revise Reimbursable Fun	ds and Direct	Previous Fund			is Action	<del></del>	Amended	LTotal
Revise Reimbursable (in-hou	se)	, ievious i une	18,380,403	<del></del>		70,000	rational	18,550,403
Direct Fund Cite (contractor)	<del></del>		158,149,313	-		30,000		162,979,313
Total			176,529,716		5,0	00,000	•	181,529,716
Funds	<u></u>	Previous Amo	ount T	Amour	nt This Action	· ·	Total An	nount
25. EPA Amount	<del> </del> -		\$176,529,716			00,000		\$181,529,716
26. EPA In-Kind Amount								\$(
27. Other Agency Amount				· · · · · · · · · · · · · · · · · · ·	_			\$(
28. Other Agency In-Kind Am	ount				,			\$
29. Total Project Cost			\$176,529,716	<u></u>	\$5,0	00,000		\$181,529,71
30. Fiscal Information	•							
Treas. Symbol DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Am
68-20X8145 111ARAP00			1A00R		2506	0143RA01		4,971,60
68-20X8145 111ARAP00	8 11	Т Т	1A00F	302DD2C	2506	0143RA01	C003	5,000,00

			PA IAG Identification No. D	
	Part II - Approved	Budget		EPA IAG Identification Number DW-96-94018901 - e
31. Budget Categories	Itemization of All Previous Actions	Iternization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,375,693	\$39,137	· · · · · · · · · · · · · · · · · · ·	\$17,414,830
(b) Fringe Benefits	\$103,504	\$20,743		\$124,247
(c) Travel	\$6,300	\$0		\$6,300
(d) Equipment	\$0	\$0		\$0
(e) Supplies	\$0	\$0		\$0
(f) Procurement / Assistance	\$158,149,313	\$4,830,000		\$162,979,313
(g) Construction	\$0	\$0		\$0
(h) Other	\$694,871	\$70,000	<del></del>	\$764,871
(i) Total Direct Charges	\$176,329,681	\$4,959,880	\$0	\$181,289,561
(j) Indirect Costs:	\$200,035	\$40,120		\$240,155
Charged - Amount Rate: 67% Base: \$59.880.00 Not Charged: Funds-Out: Not charged by Other A Estimate by other Agency Amount \$				
(k) Total	\$176,529,716	\$5,000,000	\$0	\$181,529,716
(EPA Share 100.00 %)	}		•	
(Other Agency Share 0.00 %)	<u> </u>			
32. How was the IDC Base calculate				
33. Is equipment authorized to be fu		, purchased, or rented	with EPA funds? 📖 Yes	∆ No
(identify all equipment costing \$	<del></del>	. A My II.		· · · · · · · · · · · · · · · · · · ·
34. Are any of these funds being us		ents? Yes N	0	
Type of Extramural Agreement ( Contractor/Recipient Name (if	Contract	mural Amount Under T	hin Drainet	Percent Funded by EPA (if known)
known)	10tal CALIA	inulai Amount onder 1	ins rioject	Percent Funded by EFA (II known)
Foster Wheeler		<del></del>	155382313	100
Unknown			7597000	100
	Det III Fundi		Total \$ 162,979,313.00	
		ng Methods and B		
35.		y Location Code (		
Disbursement Agreement	Request for repayment Office, Cincinnati, OH 4		itemized on SF 1080 and	submitted to the Financial Management
⊠ Repayment		Quarterly	Upon Comp	pletion of Work
Advance	type of payment metho-	d. Unexpended funds at		appropriate justification of need for this returned to EPA. Quarterly cost reports 45268-7002.
Allocation Transfer-Out	by the Office of Comp	otroller, Budget Division. ne Financial Reports and	Budget Formulation and	al agencies. Must receive prior approval Control Branch, EPA Hdqtrs. Forward Management Division, PM-226F, EPA,
36. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance	,	
Other Agency's Billing Address (Inc EPA Form 1610-1 (Rev. 11-09). Previous ec		ol Number)	Other Agency's Billing I	nstructions and Frequency

EPA IAG Identification No.DW-96-94018901 - e Page 3

# Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - e

37. Terms and Conditions (See attached terms and conditions, Attachment B)

# Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.

Failure to return the property executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially after the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)				
88. Organization/Address	39. Organization/Address				
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100, Mail Code: OSRR01-5 Boston, MA 02109-3912				
Award Official on I	Behalf of the Environment Protection Agency				
40. Digital signature applied by EPA Award Official   Armina	C. Nolan - Manager - Grants and Interagency Agreements Unit	Date 04/26/2011			
Authorizing	Official on Behalf of the Other Agency	٠ .			
41. Shynature Typed Name and Scott Acone. Chief.	itte Military & Environmental Project Management Branch	Date 4 27/2011			

EPA Form 1610-1 (Rev. 11-09) Previous edifions are obsolete.

DW-96-94018901 - e Page 4

# **IA Terms and Conditions**

All Terms and Conditons Remain the Same.

END OF INTERAGENCY AGREEMENT NO. DW-96-94018901-e

Page 1 **United States Environmental** 1. EPA IA Identification Number 2. Funding Location **Protection Agency** DW-96-94018901 - f by Region EPA R1 Washington, DC 20460 3. Other Agency IA ID Number (if known) 4. Awarding Office Interagency Agreement/ IASSC West Amendment 5. Type of Action 6. IA Specialist: Part 1 - General Information No Cost Amendment Cathy Reese 206-553-6286 Reese.Cathy@epa.gov 8. Name and Address of Other Agency 7. Name and Address of EPA Organization US Environmental Protection Agency U.S. Army Corps of Engineers EM CX **IASSC West** 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) 1200 Sixth Avenue, Suite 900, OMP-145 Omaha, NE 68102-9200 Seattle, WA 98101 9. DUNS: 029128894 10. BETC: DISB 12. BETC: COLL 11. DUNS: DOD964126 13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment reflects a change in the EPA Project Officer. NO SIGNED ACCEPTANCE IS REQUIRED. All Terms and Conditions remain the same. 14. EPA Project Officer (Name, Address, Telephone Number) 15. Other Agency Project Officer (Name, Address, Telephone) Julianne Sammut Marvene Seaman 5 Post Office Square, Suite 100 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Boston, MA 02109-3912 Omaha, NE 68102-9200 617-918-1426 402-697-2425 E-Mail: sammut.julianne@epa.gov E-Mail: marvene.l.seaman@usace.army.mil FAX: FAX: 617-918-0426 17. Budget Period: 02/01/1999 to 12/30/2019 16. Project Period: 02/01/1999 to 12/30/2019 18. Scope of Work (See Attachment) The Scope of Work Remains the Same. 21. ALC: 68-01-0727 19. Employer/Tax ID No. 520852695 20. CAGE No: 347A4 22. Statutory Authority for Transfer of Funds and Interagency Agreement 23. Other Agency Type CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580 Federal Agency 24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable) **Previous Funding** This Action Amended Total Revise Reimbursable (in-house) 18,550,403 18,550,403 Direct Fund Cite (contractor) 162,979,313 162,979,313 Total 181,529,716 181,529,716 **Previous Amount Amount This Action** Total Amount Funds 25. EPA Amount \$181,529,716 \$181,529,716 26. EPA In-Kind Amount \$0 \$0 \$0 27. Other Agency Amount \$0 28. Other Agency In-Kind Amount \$0 \$0 29. Total Project Cost \$181,529,716 \$181,529,716

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete.

DCN

FΥ

Appropriation

**Budget Org** 

PRC

Object Class

Site/Project

Cost Org

Ob/De-Ob Amt

30. Fiscal Information
Treas. Symbol | C

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Part II - Approved Budget				EPA IAG Identification Number		
			DW-96-94018901 - f			
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date		
(a) Personnel	\$17,414,830			\$17,414,830		
(b) Fringe Benefits	\$124,247			\$124,247		
(c) Travel	\$6,300			\$6,300		
(d) Equipment	\$0			\$0		
(e) Supplies	\$0			. \$0		
(f) Procurement / Assistance	\$162,979,313		<u> </u>	\$162,979,313		
(g) Construction	\$0			\$0		
(h) Other	\$764,871			\$764,871		
(i) Total Direct Charges	\$181,289,561	\$0	. \$0	\$181,289,561		
(j) Indirect Costs:	\$240,155	\$0	\$0	\$240,155		
Charged - Amount Rate: % Base: \$ Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency						
Amount \$ (k) Total	\$181,529,716	\$0	\$0	\$181,529,716		
(EPA Share %)	, , .	·	·			
(Other Agency Share %)			· · · · · · · · · · · · · · · · · · ·			
32. How was the IDC Base calculate						
33. Is equipment authorized to be fu		l, purchased, or rented	with EPA funds? 🔲 Yes	⊠ No		
(Identify all equipment costing \$	···			<u> </u>		
34. Are any of these funds being us	ed on extramural agreeme	ents? 🛚 🖾 Yes 🗀 N	0			
	Contract					
Contractor/Recipient Name (if known)	Total Extra	mural Amount Under T	his Project	Percent Funded by EPA (if known)		
Foster Wheeler	,		155382313	100		
Unknown			7597000     <b>Total</b> : \$ 162,979,313.00	. 100		
<u> </u>	Part III - Fundii	ng Methods and B				
h		cy Location Code (				
35.	`	<u>-                                      </u>		submitted to the Financial Management		
Disbursement Agreement	Office, Cincinnati, OH 4	5268-7002:				
Repayment	Monthly Monthly	☐ Quarterly		oletion of Work		
Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.					
Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.					
36. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance				
Other Agency's Billing Address (include ALC or Station Symbol Number)  Other Agency's Billing Instructions and Frequency						
EPA Form 1610-1 (Rev. 11-09). Previous ed	tions are obsolete					

EPA IAG Identification No.DW-96-94018901 - f Page 3

# Part IV - Acceptance Conditions

**EPA Identification Number** .

DW-96-94018901 - f

37. Terms and Conditions (See attached terms and conditions, Attachment B)

# Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance) 38. Organization/Address		EPA Program Office (for technical assistance) 39. Organization/Address		
	Award Official on Beha	If of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official   Katherine Tsing-Choy - GIA Specialist			Date 05/05/2011	
	Authorizing Office	ial on Behalf of the Other Agency		
41. Signature	Typed Name and Title		Date	
	SIGNATURE NOT REQI	JIRED	05/04/2011	

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete.

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# **IA Terms and Conditions**

All Terms and Conditions Remain the Same

END OF ASSISTANCE AGREEMENT NO. DW-96-94018901-f

Ow 16940189-01-9

Page 1 1. EPA IA Identification Number United States Environmental 2. Funding Location Protection Agency DW-96-94018901 - g by Region EPA R1 Washington, DC 20460 3. Other Agency IA ID Number (if known) 4. Awarding Office Interagency Agreement/ IASSC West **Amendment** 5. Type of Action 6. IA Specialist: Augmentation: Increase Part 1 - General Information Cathy Reese 206-553-6286 Reese.Cathy@epa.gov 7. Name and Address of EPA Organization 8. Name and Address of Other Agency US Environmental Protection Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Omaha, NE 68102-9200 Seattle, WA 98101 9. DUNS: 029128894 10. BETC: DISB 11. DUNS: DOD964126 12. BETC: COLL 13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases Federal funding by \$5,500,000. All Terms and Conditions remain the same. 15. Other Agency Project Officer (Name, Address, Telephone) 14. EPA Project Officer (Name, Address, Telephone Number) Julianne Sammut Marvene Seaman 5 Post Office Square, Suite 100 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Boston, MA 02109-3912 Omaha, NE 68102-9200 617-918-1426 402-697-2425 E-Mail: sammut.julianne@epa.gov E-Mail: marvene.f.seaman@usace.army.mil FAX-FAX: 617-918-0426 16. Project Period: 02/01/1999 to 12/30/2019 17. Budget Period: 02/01/1999 to 12/30/2019 18. Scope of Work (See Attachment) The Scope of Work Remains the Same. 19. Employer/Tax ID No. 520852695 20. CAGE No: 347A4 21. ALC: 68-01-0727 23. Other Agency Type 22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580 Federal Agency 24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable) Previous Funding Amended Total This Action 18,550,403 Revise Reimbursable (in-house) 550,000 19,100,403 162,979,313 Direct Fund Cite (contractor) 4,950,000 167,929,313 187,029,716 181,529,716 5,500,000 Total Funds **Previous Amount Amount This Action Total Amount** 25. EPA Amount \$181,529,716 \$5,500,000 \$187,029,716 26, EPA In-Kind Amount \$0 27. Other Agency Amount \$0 \$0 28. Other Ageпcy In-Kind Amount \$0 \$187,029,716 29. Total Project Cost \$181,529,716 \$5,500,000 30. Fiscal Information Appropriation PRC Object Class Site/Project Cost Org Ob/De-Ob Amt Treas. Symbol **Budget Org** 111ARAP010 302DD2C 2506 0143RA01 68-68X8145 1A00R C003 5,500,000 5.500.000

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete.

			EPA IAG Identification No. D				
Part II - Approved Budget			EPA IAG Identification Number DW-96-94018901 - g				
31. Budget Categories	Itemization of All Previous Actions	ttemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date			
(a) Personnel	\$17,414,830	\$183,000		\$17,597,830			
(b) Fringe Benefits	\$124,247	\$96,990		\$221,237			
(c) Travel	\$6,300	\$4,017		\$10,317			
(d) Equipment	\$0			\$0			
(e) Supplies	\$0		. 1	\$0			
(f) Procurement / Assistance	\$162,979,313	\$4,950,000		\$167,929,313			
(g) Construction	. \$0			\$0			
(h) Other	\$764,871	\$77,000		\$841,871			
(i) Total Direct Charges	\$181,289,561	\$5,311,007	\$0	\$186,600,568			
(j) Indirect Costs:	\$240,155	\$188,993		\$429,148			
Charged - Amount Rate: 67.5% Base: \$279,990.00 Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency							
Amount \$ (k) Total	\$181,529,716	\$5,500,000	\$0	\$187,029,716			
(EPA Share 100.00 %)	₩101,0m0,110		,	<del>ү (от јаша).</del> Та			
(Other Agency Share 0.00 %)	L		<u></u>	<del> </del>			
32. How was the IDC Base calculate			<del></del>				
(Identify all equipment costing \$	33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☐ Yes⊠ No (Identify all equipment costing \$1,000 or more)						
34. Are any of these funds being used on extramural agreements?   Yes No							
	Contract						
Contractor/Recipient Name (if known)	Total Extra	mural Amount Under Ti		Percent Funded by EPA (if known)			
Foster Wheeler			167929313 Total \$ 167,929,313.00	100			
		ng Methods and Bi					
35.	l' '	y Location Code (/					
Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:						
⊠ Repayment	Monthly '	Quarterty	Upon Comp	pletion of Work			
☐ Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.						
☐ Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdgtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.						
36. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance					
Other Agency's Billing Address (Incli	ude ALC or Station Symbo	ol Number)	Other Agency's Billing In	nstructions and Frequency			

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete

EPA IAG Identification No.DW-96-94018901 - g Page 3

## Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - g

37. Terms and Conditions (See attached terms and conditions, Attachment B)

### Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially after the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

PA IA Administration Office (for administrative assistance	EPA Program Office (for technical assistance)	
38. Organization/Address	39. Organization/Address	
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
	on Behalf of the Environment Protection Agency	15.4
40. Digital signature applied by EPA Award Official   Armii	na K. Nolan - Manager - Grants and Interagency Agreements Unit	Date 06/27/2011
Authoriz	ng Official on Behalf of the Other Agency	
11. Signature Typed Name ar	nd Title	Date
MAN DE MARKET SOME AME	E. Ch., Mil a Env. Project Mat. Br.	6/28/11

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete.

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## **IA Terms and Conditions**

All Terms and Conditions Remain the Same

END OF ASSISTANCE AMENDMENT NO . DW-96-94-0189-g

Ow 96 940189-01-h

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		ited States Envir Protection Ag Washington, DC	епсу	1. EPA IA Ide	entification Nun DW-96-940189			g Location on EPAR1
A STANDARD STANDARD		agency Ag Amendm	reement/	3. Other Age	ncy IA ID Numb	er (if known)	4. Awardi IASSC We	-
. 9			.	5. Type of Ac	tion		6. IA Spec	ialist:
	Part	1 - General ir	nformation		Augmentation:	Increase	Cathy Red	
A PROTEC				•	_		206-553-6	
								thy@epa.gov
7. Name and Address of EPA	Organization			8. Name and	Address of Oth	er Agency	. 12.12.2.2.2.	79-7-9-
US Environmental Protection Ag				U.S. Army Co	rps of Engineers	EM CX		
IASSC West				1616 Capitol	Ave., Suite 9200	(CEHNC-CX-E	S)	
1200 Sixth Avenue, Suite 900, C	MP-145			Omaha, NE	68102-9200			
Seattle, WA 98101								•
9. DUNS: 029128894	10. BE	C: DISB		11. DUNS: DO	DD961316	12. BE	TC: COLL	
This amendment increases Fede		·		_				
14. EPA Project Officer (Name, Julianne Sammut 5 Post Office Square, Suite 100 Boston, MA 02109-3912 617-918-1426	, Address, Te	lephone Numbe	r)	Marvene Sear 1616 Capitol / Omaha, NE 6 402-697-2425	Ave., Suite 9200 8102-9200	(CEHNC-CX-ES		hone)
E-Mail: sammut.julianne@epa.g	ov .				ne.l.seaman@u	sace.army.mil		
FAX: 617-918-0426				FAX: 402-697	-2613			
FAX: 617-918-0426 16. Project Period: 02/01/1999	to 12/30/2019	· · · · · · · · · · · · · · · · · · ·			-2613 eriod: 02/01/199	99 to 12/30/2019	9	· · · · · · · · · · · · · · · · · · ·
	ment)		:			99 to 12/30/2019	9	
16. Project Period: 02/01/1999 18. Scope of Work (See Attach	ment) Same.		E No: 347A4		eriod: 02/01/199	99 to 12/30/2019 .C: 68-01-0727	9	
16. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the	ment) Same. 2695 nsfer of Fund	20. CAGE			eriod: 02/01/199			Agency Type Agency
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Tran CERCLA: Secs. 105(a)(4) & 115	ment) Same. 2695 nsfer of Fund and Executive	20. CAGE s and Interagence Order 12580	cy Agreement	17. Budget P	eriod: 02/01/199		23. Other	
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trai	ment) Same. 2695 nsfer of Fund and Executive	20. CAGE s and Interagence Order 12580	cy Agreement complete if ap ding	17. Budget P	21. AL	C: 68-01-0727	23. Other	Agency d Total
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only	cy Agreement complete if ap ding 19,100,403	17. Budget P	21. AL	C: 68-01-0727	23. Other Federal	Agency d Total 19,300,40
16. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor)	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only	cy Agreement complete if ap ding 19,100,403 167,929,313	17. Budget P	21. AL   21. AL   1is Action   2   4.8	C: 68-01-0727	23. Other Federal	Agency d Total 19,300,40 172,729,31
19. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house)	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only	cy Agreement complete if ap ding 19,100,403	17. Budget P	21. AL   21. AL   1is Action   2   4.8	C: 68-01-0727	23. Other Federal	Agency d Total 19,300,40 172,729,3
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor)	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL his Action 24,8 5,0	C: 68-01-0727	23. Other Federal	Agency 1 Total 19,300,40 172,729,3 192,029,7
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trai CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total Funds	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only	cy Agreement c complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL     21. AL	00,000 00,000 00,000	23. Other Federal	Agency 1 Total 19,300,40 172,729,3 192,029,7
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds 25. EPA Amount	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL     21. AL	C: 68-01-0727	23. Other Federal	Agency  1 Total  19,300,40  172,729,3  192,029,7  nount  \$87,670,26
19. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement c complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL     21. AL	00,000 00,000 00,000	23. Other Federal	Agency  1 Total  19,300,46  172,729,3  192,029,7  nount  \$87,670,26
19. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trac CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount	ment) Same. 2695 nefer of Fund and Executive s and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement c complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL     21. AL	00,000 00,000 00,000	23. Other Federal	Agency  i Total  19,300,40  172,729,3  192,029,7  nount  \$87,670,26
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trai CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount	ment) Same. 2695 Insfer of Fund and Executive is and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement c complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL     21. AL	00,000 00,000 00,000	23. Other Federal	Agency  i Total  19,300,40  172,729,3  192,029,7  nount  \$87,670,26
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trai CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo	ment) Same. 2695 Insfer of Fund and Executive is and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement c complete if ap ding 19,100,403 167,929,313 187,029,716	17. Budget P	21. AL	00,000 00,000 00,000	23. Other Federal	Agency d Total 19,300,4( 172,729,3 192,029,7 nount \$87,670,26
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Traic CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo 29. Total Project Cost	ment) Same. 2695 Insfer of Fund and Executive is and Direct	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund	cy Agreement r complete if ap ding 19,100,403 167,929,313 187,029,716  ount \$82,670,260	17. Budget P	21. AL	00,000 00,000 00,000	23. Other Federal	Agency d Total 19,300,4( 172,729,3 192,029,7 nount \$87,670,26
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Trace CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo 29. Total Project Cost 30. Fiscal Information	ment) Same. 2695 Insfer of Fund and Executive is and Direct is e)  unt	20. CAGE s and Interagence e Order 12580 Fund Cites (only Previous Fund Previous Amo	cy Agreement complete if ap ding 19,100,403 167,929,313 187,029,716  ount \$82,670,260 \$82,670,260	17. Budget P	21. AL   2	00,000 00,000 00,000 00,000	23. Other Federal Amended	Agency d Total 19,300,4( 172,729,31 192,029,71 nount \$87,670,26
18. Project Period: 02/01/1999 18. Scope of Work (See Attach The Scope of Work Remains the 19. Employer/Tax ID No. 52085 22. Statutory Authority for Traic CERCLA: Secs. 105(a)(4) & 115 24. Revise Reimbursable Fund Revise Reimbursable (in-house Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amo 29. Total Project Cost	ment) Same. 2695 Insfer of Fund and Executive s and Direct e)	20. CAGE s and Interagence order 12580 Fund Cites (only Previous Fund Previous Amo	cy Agreement complete if ap ding 19,100,403 167,929,313 187,029,716  ount \$82,670,260  \$82,670,260  Budget Org	plicable) Th	21. AL	00,000 00,000 00,000	23. Other Federal	Agency d Total 19,300,40 172,729,31 192,029,71

31. Budget Categories  (a) Personnei (b) Fringe Benefits (c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Charged - Amount Rate: 70.1%	Part II - Approved	Itemization of This Action \$76,000 \$40,280 \$2,208	In-Kind Itemization of This Action	EPA IAG Identification Number  DW-96-94018901 - h  Itemization of Total  Project Cost to Date  \$17,673,836
(a) Personnel (b) Fringe Benefits (c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$17,597,830 \$17,597,830 \$221,237 \$10,317 \$0 \$0	Action \$76,000 \$40,280 \$2,208		Project Cost to Date
(b) Fringe Benefits (c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (l) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$221,237 \$10,317 \$0 \$0	\$40,280 \$2,208 \$0		\$17,673,83
(c) Travel (d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$10,317 \$0 \$0	\$2,208 \$0		
(d) Equipment (e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (i) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$0 \$0	\$0		\$261,51
(e) Supplies (f) Procurement / Assistance (g) Construction (h) Other (l) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$0			\$12,52
(f) Procurement / Assistance (g) Construction (h) Other (l) Total Direct Charges (j) Indirect Costs: Charged - Amount	·			. \$
(f) Procurement / Assistance (g) Construction (h) Other (l) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$167,929,313	\$0		\$
(g) Construction (h) Other (l) Total Direct Charges (j) Indirect Costs: Charged - Amount		\$4,800,000		\$172,729,31
(h) Other (i) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$0	\$0	· · · · · · · · · · · · · · · · · · ·	\$
(j) Total Direct Charges (j) Indirect Costs: Charged - Amount	\$841,871	\$0		\$841,87
(j) Indirect Costs: Charged - Amount	\$186,600,568	\$4,918,488	\$0	\$191,519,05
	\$429,148	\$81,512	\$0	\$510,66
Base: \$116,280.00 Not Charged: Funds-Out: Not charged by Other Ag	ency			
Estimate by other Agency				
Amount \$ (k) Total	\$187,029,716	\$5,000,000	\$0	\$192,029,710
(EPA Share 100.00 %) (Other Agency Share 0.00 %)				
32. How was the IDC Base calculated	? personnel and fringe be	nefits		
<ul><li>33. Is equipment authorized to be fun (Identify all equipment costing \$1</li><li>34. Are any of these funds being use</li></ul>	;000 or more)			⊠ No
	ontract		<u></u>	<del></del>
Contractor/Reciplent Name (if known)		mural Amount Under Ti	his Project	Percent Funded by EPA (if known)
Various		·	172729313 Total \$ 172,729,313.00	100
	Part III - Fundir	ng Methods and Bi	lling Instructions	
35.		y Location Code (		
Disbursement Agreement	` •	of actual costs must be		submitted to the Financial Management
Repayment	Monthly	Quarterly	Upon Comp	eletion of Work
Advance	Only available for use b type of payment method	d. Unexpended funds at	vorking capital fund or with	appropriate justification of need for this returned to EPA. Quarterly cost reports
Allocation Transfer-Out	by the Office of Compl	troller, Budget Division,	Budget Formulation and (	al agencies. Must receive prior approval Control Branch, EPA Hdqtrs. Forward Management Division, PM-226F, EPA,
36. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance		
Other Agency's Billing Address (include	de ALC or Station Symbo	Number)	Other Agency's Billing In	structions and Frequency
PA Form 1610-1 (Rev. 11-09). Previous editio	·			

EPA IAG Identification No.DW-96-94018901 - h Page 3

## Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - h

37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

## Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially after the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)	
38. Organization/Address	39. Organization/Address	
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
Award Official on Be	half of the Environment Protection Agency	
40. Digital signature applied by EPA Award Official   Armina K.	Nolan - Manager - Grants and Interagency Agreements Unit	Date
		03/08/2012
Authorizing O	fficial on Behalf of the Other Agency	•
41. Signature ACONE.SCOTT.E.12285745  Descript spreadly ACONE.SCOTT.E.122857453  Descript spreadly ACONE.SCOTT.E.122857453  Descript Spreadly 19.130.63793  Descript Spreadly 19.130.63793  Descript Spreadly 19.130.63793	e, Ch Mil & Env Proj Mgt Br	Date 03/09/2012

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete.

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## IA Terms and Conditions

### USACE Special Terms and Conditions - updated February 2012

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

### 1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site — and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

### a. Direct Costs

- Payroll timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel travel authorizations (including purpose of trip), local travel vouchers, traveler's
  reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills,
  appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by
  providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of
  Payment" or equivalent.
- Contractor Services copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

### b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

### 2. Reporting Requirements

a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site

### activities.

- b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:
  - A cover letter which includes the Site Name and IA Number.
  - Summary of work performed for current period.
  - Estimate of the percentage of the project completed.
  - Accounting of funds expended during the reporting period and on the project to date, which
    includes budget category cost breakdown.
  - Summaries of all change orders and claims made on contracts during the reporting period.
  - Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
  - Summaries of all problems or potential problems encountering during the reporting period.
  - Projected work for the next reporting period.
  - Copy of the SF 1080 billings statement clearly marked "copy".
- c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <a href="http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf">http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf</a>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager. If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.
- d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

## 3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation to provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

## 4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

### 5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

### 6. Audits

- a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.
- b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

### 7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

### 8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

### 9. Other EPA involvement

- a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- b. If the Direct Fund Cite Method does <u>not</u> apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

### 10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

### 11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

## 12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts. SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: <a href="https://www.fpds.gov/fpdsng\_cms/">https://www.fpds.gov/fpdsng\_cms/</a>.

## 13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentially. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA

review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

- i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.
- j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

### 14. Resolution of Disagreements

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, disputes will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, Part 2, Chapter 4700, Appendix 10, available at <a href="http://www.fms.treas.gov/tfm/index.html">http://www.fms.treas.gov/tfm/index.html</a>.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

### 15. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at: <a href="http://www.epa.gov/fedfac/documents/qualityassurance.htm">http://www.epa.gov/fedfac/documents/qualityassurance.htm</a> and with QMP guidelines found under

http://www.epa.gov/fedfac/documents/qualityassurance.htm and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP

Manual" and also at Part 2A, Part 2A(e), and Part 2B.

### 16. Sufficient Progress

EPA expressly reserves the right to terminate the IA for failure to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the Statement of Work, the time remaining for performance, and/or the availability of funds necessary to complete performance. In exercising this right to terminate, EPA will follow the procedures for terminating the IA in Terms and Conditions.

# 17. Restrictions on FY12 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions

This IA obligates and transfers or advances EPA funds appropriated under the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

### Section 433-provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

## Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA.

Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act.

USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency.

END OF ASSISTANCE AGREEMENT NO. DW-96-940189-01-h

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## United States Environmental **Protection Agency** Washington, DC 20460

## Interagency Agreement/ **Amendment**

## Part 1 - General Information

1. EPA IA Ide	ntification Number
	DW-96-94018901 - i

by Region EPA R1

3. Other Agency IA ID Number (if known)

4. Awarding Office **IASSC West** 

5. Type of Action

No Cost Amendment

6. IA Specialist: Cathy Reese

206-553-6286 Reese.Cathy@epa.gov

7. Name and Address of EPA Organization

**US Environmental Protection Agency IASSC West** 

1200 Sixth Avenue, Suite 900, OMP-145

Seattle, WA 98101

9. DUNS: 029128894 10. BETC: DISB 8. Name and Address of Other Agency

U.S: Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)

Omaha, NE 68102-9200

11. DUNS: DOD961316

12. BETC: COLL

13. Project Title and Description

Remedial Action for clean-up of Upper and Lower Harbor at

New Bedford Superfund Site, New Bedford, MAD980731335. Remedial activities are conducted in accordance with 1998 ROD and selected remedy.

This amendment reflects an administrative change to correct block numbers 25 and 29 on award. NO SIGNED ACCEPTANCE IS REQUIRED.

14. EPA Project Officer (Name, Address, Telephone Number)

Julianne Sammut

5 Post Office Square, Suite 100 (OSRR01-5)

Boston, MA 02109-3912

617-918-1426

E-Mail: sammut.julianne@epa.gov

FAX: 617-918-0426

16. Project Period: 02/01/1999 to 12/30/2019

15. Other Agency Project Officer (Name, Address, Telephone)

Marvene Seaman

1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)

Omaha, NE 68102-9200

402-697-2425

E-Mail: marvene.l.seaman@usace.army.mil

FAX: 402-697-2613

17. Budget Period: 02/01/1999 to 12/30/2019

18. Scope of Work (See Attachment)

The Scope of Work Remains the Same.

19. Employer/Tax ID No. 520852695

20. CAGE No: 347A4 22. Statutory Authority for Transfer of Funds and Interagency Agreement 21. ALC: 68-01-0727

23. Other Agency Type Federal Agency

CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580

24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable) **Previous Funding** This Action Amended Total 19,100,403 200,000 Revise Reimbursable (in-house) 19,300,403 167,929,313 4,800,000 172,729,313 **Direct Fund Cite (contractor)** Total 187,029,716 5,000,000 192,029,716

Funds	Previous Amount	Amount This Action	Total Amount
25. EPA Amount	\$187,029,716	\$5,000,000	\$192,029,716
26. EPA In-Kind Amount	\$0		\$0
27. Other Agency Amount	\$0		. \$0
28. Other Agency In-Kind Amount	\$0		. \$0
29. Total Project Cost	\$187.029.716	\$5,000,000	\$192,029,716

30. Fiscal Information

Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
		•							

			EPA IAG Identification NoD	0W-96-94018901 - i Page 2
	Part II - Approved	Budget		EPA IAG Identification Number
		•		DW-96-94018901 - i
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,673,830			\$17,673,830
(b) Fringe Benefits	\$261,517			· \$261,517
(c) Travel	\$12,525			\$12,525
(d) Equipment	\$0			\$0
(e) Supplies	\$0			\$0
(f) Procurement / Assistance	\$172,729,313			\$172,729,313
(g) Construction	\$0			. \$0
(h) Other	\$841,871			\$841,871
(i) Total Direct Charges	\$191,519,056	\$0	\$0	\$191,519,056
(j) Indirect Costs:	\$510,660	\$0	\$0	\$510,660
Charged - Amount				
Rate: % Base: \$			•	
Not Charged:				•
Funds-Out: Not charged by Other A	gency	•	•	
Estimate by other Agenc	у			
Amount \$ (k) Total	\$192,029,716	\$0	\$0	\$192,029,716
(EPA Share 100.00 %)	\$192,029,710	Φυ		\$192,029,110
(Other Agency Share 0.00 %)		•		
32. How was the IDC Base calculate	ed?			
33. Is equipment authorized to be f	urnished by EPA or leased	, purchased, or rented	with EPA funds? 🔲 Yes	⊠ No
(Identify all equipment costing	\$1,000 or more)			
34. Are any of these funds being us	sed on extramural agreeme	nts? Xes N	0	•
Type of Extramural Agreement	Contract			
Contractor/Recipient Name (if known)	Total Extra	mural Amount Under T		Percent Funded by EPA (if known)
Various			172729313 <b>Total. \$</b> 172,729,313.00	. 100
<u> </u>	Part III . Eundir	ng Methods and B		
	(Note: EPA Agenc			
35.		•	•	· · · · · · · · · · · · · · · · · · ·
Disbursement Agreement	Office, Cincinnati, OH 45			submitted to the Financial Management
Repayment	⊠ Monthly	☐ Quarterly	☐ Upon Comp	oletion of Work
Advance	type of payment method	d. Unexpended funds at		appropriate justification of need for this returned to EPA. Quarterly cost reports 45268-7002.
Allocation Transfer-Out	by the Office of Comp	troller, Budget Division,	Budget Formulation and	al agencies. Must receive prior approval Control Branch, EPA Hdqtrs. Forward Management Division, PM-226F, EPA,
36. ☐ Reimbursement Agreement ☐ Allocation Transfer-In	Repayment	Advance		
Other Agency's Billing Address (inc	lude ALC or Station Symbo	ol Number)	Other Agency's Billing I	nstructions and Frequency
		•	·	
FDA 5				*
EPA Form 1610-1 (Rev. 11-09). Previous ed	litions are obsolete			

EPA IAG Identification No.DW-96-94018901 - i Page 3

## Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - i

37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

### Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office	(for administrative assistance)	EPA Program Office (for technical assistance	•)
38. Organization/Address		39. Organization/Address	
U.S. Environmental Protect IASSC West 1200 Sixth Avenue, Suite 9 Seattle, WA 98101		US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
	Award Official on Beha	If of the Environment Protection Agency	
40. Digital signature applie	d by EPA Award Official   Cathy Reese	- EPA Grants Specialist	Date
			05/14/2012
	Authorizing Office	cial on Behalf of the Other Agency	
11. Signature	Typed Name and Title		Date
	NO SIGNATURE REQU	IRED	·

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete.

## **IA Terms and Conditions**

All Terms and Conditions Remain the Same.

END OF INTERAGENCY AGREEMENT NO. DW-96-94018901-i

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	United States Environment Protection Age Washington, DC	ncy 20460		ntification Num DW-96-94018	901 - j	2. Funding	
	Interagency Agr Amendme		3. Other Ager	ncy IA ID Numb	er (if known)	4. Awardir IASSC We	-
A PROTECTOR	Part 1 - General In		5. Type of Ac	tion Augmentation:	Increase	6. IA Spec Cathy Ree 206-553-62 Reese Cat	se
7. Name and Address of EPA Organ US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-1		[	U.S. Army Cor	Address of Others of Engineers ve., Suite 9200 38102-9200	EM CX		
Seattle, WA 98101 9, DUNS: 029128894	10. BETC: DISB	-	44 51110 50	1	112 6	BETC: COLL	· · · · · · · · · · · · · · · · · · ·
13. Project Title and Description	10. BETC. DISB		11. DUNS: DO	DD961316	14, 5	SEIG. COLL	
Remedial Action for dean-up of Uppe New Bedford Superfund Site, New Be This amendment increases Federal fu	edford, MAD980731335. F		.,		with 1998 RC	DD and selected	remedy.
14. EPA Project Officer (Name, Add Julianne Sammut 5 Post Office Square, Suite 100 (OSR Boston, MA 02109-3912 617-918-1426 E-Mall: sammut.julianne@epa.gov			Marvene Sear 1616 Capitol A Omaha, NE 66 402-697-2425	nan Nye., Suite 9200 3102-9200 ne.l.seaman@u	) (CEHNC-CX-	,	none)
FAX: 617-918-0426				1			<del> </del>
	7/30/2019	. 1	17. Buaget Pa	eriod: 02/01/19	99 to 12/30/20	019	<del></del>
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18. Scope of Work (See Attachment	)			; ;		•	•
18. Scope of Work (See Attachment The Scope of Work Remains the Sam	)) ne.	No: 347A4		21, A	_ <b>C</b> : 68-01-072	7	
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and	t) le.  20. CAGE   of Funds and Interagenc  Executive Order 12580	y Agreement		21. AI	_C: 68-01-072		Agency Type Agency
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and	e.   20. CAGE of Funds and Interagence Executive Order 12580 d Direct Fund Cites (only	cy Agreement			_C: 68-01-072	23. Other Federal	Agency
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and	t) le.  20. CAGE   of Funds and Interagenc  Executive Order 12580	cy Agreement complete if app		21. Al		23. Other	Agency I Total
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house)	e.   20. CAGE of Funds and Interagence Executive Order 12580 d Direct Fund Cites (only	complete if app		ils Action	0	23. Other Federal	Agency 3 Total 19,300,40
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor)	e.   20. CAGE of Funds and Interagence Executive Order 12580 d Direct Fund Cites (only	complete if app ling 19,300,403 172,729,313		ls Action	000,000	23. Other Federal	Agency <b>3 Total</b> 19,300,40 177,729,31
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor)	e.   20. CAGE of Funds and Interagence Executive Order 12580 d Direct Fund Cites (only	complete if app		ls Action	0	23. Other Federal	Agency <b>3 Total</b> 19,300,40 177,729,31
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor)	e.   20. CAGE of Funds and Interagence Executive Order 12580 d Direct Fund Cites (only	complete if app ling 19,300,403 172,729,313 192,029,716	Th	ls Action	000,000	23. Other Federal	Agency J Total 19,300,40 177,729,31 197,029,71
IB. Scope of Work (See Attachment The Scope of Work Remains the Sam I9. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total	20. CAGE   20. CAGE   of Funds and Interagence   Executive Order 12580   Direct Fund Cites (only   Previous Fund	complete if app ling 19,300,403 172,729,313 192,029,716	Th	Is Action 5,0 5,0	000,000	23. Other Federal	Agency 1 Total 19,300,40 177,729,31 197,029,71
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds 25. EPA Amount	20. CAGE   20. CAGE   of Funds and Interagence   Executive Order 12580   Direct Fund Cites (only   Previous Fund	complete if app ling 19,300,403 172,729,313 192,029,716	Th	Is Action 5,0 5,0	0 000,000 000,000	23. Other Federal	Agency 1 Total 19,300,40 177,729,31 197,029,71 nount \$197,029,71
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount	20. CAGE   20. CAGE   of Funds and Interagence   Executive Order 12580   Direct Fund Cites (only   Previous Fund	complete if app ling 19,300,403 172,729,313 192,029,716	Th	Is Action 5,0 5,0	0 000,000 000,000 000,000	23. Other Federal	Agency 1 Total 19,300,40 177,729,31 197,029,71 mount \$197,029,71
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA in-Kind Amount	20. CAGE   20. CAGE   of Funds and Interagence   Executive Order 12580   Direct Fund Cites (only   Previous Fund	complete if app ling 19,300,403 172,729,313 192,029,716	Th	Is Action 5,0 5,0	0 000,000 000,000	23. Other Federal	Agency 1 Total 19,300,40 177,729,31 197,029,71 mount \$197,029,71 \$
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA in-Kind Amount 27. Other Agency In-Kind Amount	20. CAGE   of Funds and Interagence   Executive Order 12580     Direct Fund Cites (only     Previous Fund     Previous Amo	complete if app ling 19,300,403 172,729,313 192,029,716 sunt \$192,029,716	Th	5,0 5,0 5,0 1 This Action	000,000	23. Other Federal	Agency 1 Total 19,300,40 177,729,31 197,029,71 mount \$197,029,71 \$ \$ \$
18. Scope of Work (See Attachment The Scope of Work Remains the Sam 19. Employer/Tax ID No. 520852695 22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and 24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds 25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amount 29. Total Project Cost	20. CAGE   of Funds and Interagence   Executive Order 12580     Direct Fund Cites (only     Previous Fund     Previous Amo	complete if app ling 19,300,403 172,729,313 192,029,716	Th	5,0 5,0 5,0 1 This Action	0 000,000 000,000 000,000	23. Other Federal	Agency 1 Total 19,300,40 177,729,31 197,029,71 mount \$197,029,71 \$ \$
The Scope of Work Remains the Sam  19. Employer/Tax ID No. 520852695  22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and  24. Revise Reimbursable Funds and  Revise Reimbursable (in-house) Direct Fund Cite (contractor)  Total  Funds  25. EPA Amount  26. EPA in-Kind Amount  27. Other Agency Amount  28. Other Agency In-Kind Amount  29. Total Project Cost  30. Fiscal Information	20. CAGE   of Funds and Interagence   Executive Order 12580     Direct Fund Cites (only     Previous Fund     Previous Amo	complete if app ling 19,300,403 172,729,313 192,029,716 sunt \$192,029,716	Amou	5,0 5,0 15 Action \$5,0	0 000,000 000,000 \$0	23. Other Federal Amended Total An	Agency  J Total  19,300,40: 177,729,31: 197,029,71:  \$197,029,71: \$ \$197,029,71: \$ \$197,029,71:
18. Scope of Work (See Attachment The Scope of Work Remains the Sam  19. Employer/Tax ID No. 520852695  22. Statutory Authority for Transfer CERCLA: Secs. 105(a)(4) & 115 and  24. Revise Reimbursable Funds and Revise Reimbursable (in-house) Direct Fund Cite (contractor) Total  Funds  25. EPA Amount 26. EPA In-Kind Amount 27. Other Agency Amount 28. Other Agency In-Kind Amount 29. Total Project Cost	20. CAGE   of Funds and Interagence   Executive Order 12580     Direct Fund Cites (only     Previous Fund     Previous Amo	complete if app ling 19,300,403 172,729,313 192,029,716 sunt \$192,029,716	Amoul	5,0 5,0 5,0 1. This Action \$5,0 Object Class	0 000,000 000,000 \$0 000,000	23. Other Federal Amended Total An	Agency  J Total  19,300,40: 177,729,31: 197,029,71: \$197,029,71: \$\$

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	Part II - Approved Budget			EPA IAG Identification Number	
	,		,		DW-96-94018901 - j
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Iter This A	nization of action	Itemization of Total Project Cost to Date
(a) Personnel	\$17,673,830				\$17,673,830
(b) Fringe Benefits	\$261,517				\$261,517
(c) Travel	\$12,525	,			\$12,525
(d) Equipment	\$0	V.			. \$0
(e) Supplies	\$0			1	\$0
(f) Procurement / Assistance	\$172,729,313	\$5,000,000			\$177,729,313
(g) Construction	\$0				\$0
(h) Other	\$841,871			1" 1	\$841,871
(i) Total Direct Charges	\$191,519,056	\$5,000,000		,\$0	\$196,519,056
(j) Indirect Costs:	\$510,660			1	\$510,660
Charged - Amount Rate: 70.1%		·			
Base: \$ <u>728,474.00</u> Not Charged:					:
Funds-Out: Not charged by Other A	\gency	ř			
Estimate by other Agenc				1.	
Amount \$	4400 000 740	#5 000 000 l			
(k) Total (EPA Share 100.00 %)	\$192,029,716	\$5,000,000		\$0	\$197,029,716
(Other Agency Share 0.00 %)		•	•		
32. How was the IDC Base calculat	ed? Personnel + Fringe			<del>!</del>	
33. Is equipment authorized to be f		, purchased, or rented	with EPA fun	ds? Yes	⊠ No
34. Are any of these funds being us		ents? 🛛 Yes N	0	· · · · · · · · · · · · · · · · · · ·	
	Contract			<del> </del>	
Contractor/Recipient Name (If known)		mural Amount Under T	his Project		Percent Funded by EPA (if known)
ТВА			Total \$ 177	177729313 7,729,313.00	100
	Part III - Fundii	ng Methods and Bi	lling Instru	ictions	
35.	I	y Location Code (	· · · · · · · · · · · · · · · · · · ·	1	
Disbursement Agreement	Office, Cincinnati, OH 4	of actual costs must be 5268-7002:	itemized on S	F 1080 and s	submitted to the Financial Management
Repayment	⊠ Monthly	Quarterly		Upon Comp	pletion of Work
Advance	type of payment method		completion of	work will be	appropriate justification of need for this returned to EPA. Quarterly cost reports 45268-7002.
Allocation Transfer-Out	by the Office of Comp	troller, Budget Division, le Financial Réports and	Budget Form	nulation and	al agencies. Must receive prior approval Control Branch, EPA Hdqtrs. Forward Management Division, PM-226F, EPA,
36. Reimbursement Agreement Allocation Transfer-In	Repayment	Advance			
Other Agency's Billing Address (inc	lude ALC or Station Symbo	ol Number)	Other Agen	cy's Billing I	nstructions and Frequency
		:	· <del>-</del>	1	* * * * * * * * * * * * * * * * * * * *
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EPA Form 1810-1 (Rev. 11-09). Previous ec	ditions are obsolete		<del></del>	<u>:</u>	

EPA IAG Identification No.DW-96-94018901 - | Page 3

## Part IV - Acceptance Conditions

**EPA Identification Number** 

DW-96-94018901 - j

37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

## Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)	EPA Program Office (for technical assistance)				
38. Organization/Address	39. Organization/Address				
U.S. Environmental Protection Agency	US Environmental Protection Agency				
IASSC West	R1 - Region 1 5 Post Office Square, Sulte 100 Boston, MA 02109-3912				
1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101					
Award Official on Bel	alf of the Environment Protection Agency	•			
40. Digital signature applied by EPA Award Official   FOR Armina K. Nolan - Manager - Grants and Interagency Agreements Unit					
Tony Fournier - AO delegate					
Authorizing Of	icial on Behalf of the Other Agency	<del></del>			
41. Signature ACONE.SCOTT.E.1228; Diptibly signed by ACONE.SCOTT.E.128874599] Disc. Disc. Scott Disc. Scott Acone 574593  Typed Name and Title Scott Acone Disc. Disc. 2012.589 119-1455-9909		Date 5/29/2012			

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete

# IA Terms and Conditions

IA Terms and Conditions remain the same.

END OF INTERAGENCY AGREEMENT NO. 96-94018901-J

DW96940189-01-K

Page 1 **United States Environmental** 1. EPA IA Identification Number 2. Funding Location Protection Agency DW-96-94018901 - k by Region EPAR1 Washington, DC 20460 3. Other Agency IA ID Number (if known) 4. Awarding Office Interagency Agreement/ IASSC West Amendment 5. Type of Action 6. IA Specialist Part 1 - General Information Augmentation: Increase Cathy Reese 206-553-6286 Reese.Cathy@epa.gov 8. Name and Address of Other Agency 7. Name and Address of EPA Organization US Environmental Protection Agency U.S. Army Corps of Engineers EM CX IASSC West 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) 1200 Sixth Avenue, Suite 900, OMP-145 Omaha, NE 68102-9200 Seattle, WA 98101 9. DUNS: 029128894 10. BETC: DISB 12. BETC; COLL 11. DUNS: DOD961316 13. Project Title and Description Remedial Action for clean-up of Upper and Lower Harbor at New Bedford Superfund Site, New Bedford, MAD980731335. This amendment increases Federal Funding by \$5,000,000 and updates the IA Terms and Conditions. 14. EPA Project Officer (Name, Address, Telephone Number) 15. Other Agency Project Officer (Name, Address, Telephone) Julianne Sammut Marvene Seaman 5 Post Office Square, Suite 100 (OSRR01-5) 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Boston, MA 02109-3912 Omaha, NE 68102-9200 617-918-1426 402-697-2425 E-Mall: sammut.julianne@epa.gov E-Mail: marvene.l.seaman@usace.army.mil FAX: 402-697-2613 FAX: 617-918-0426 16. Project Period: 02/01/1999 to 12/30/2019 17. Budget Period: 02/01/1999 to 12/30/2019 18. Scope of Work (See Attachment) The Scope of Work Remains the Same. 19. Employer/Tax ID No. 520852695 20. CAGE No: 347A4 21. ALC: 68-01-0727 22. Statutory Authority for Transfer of Funds and Interagency Agreement 23. Other Agency Type CERCLA: Secs. 105(a)(4) & 115 and Executive Order 12580 Federal Agency 24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable) Previous Funding This Action Amended Total Revise Relmbursable (in-house) 19,300,403 19.300.403 Direct Fund Cite (contractor) 177,729,313 5,000,000 182,729,313 Total 197,029,716 5,000,000 202,029,716 Funds Previous Amount **Amount This Action** Total Amount \$197,029,716 \$202,029,716 25. EPA Amount \$5,000,000 26. EPA In-Kind Amount \$0 27. Other Agency Amount \$0 \$0 28. Other Agency In-Kind Amount \$0 29. Total Project Cost \$197,029,716 \$5,000,000 \$202,029,716 30. Fiscal Information Site/Project Cost Org | Ob/De-Ob Amt Treas. Symbol DCN Appropriation **Budget Org** PRC Object Class 121APLP024 68-68X8145 12 1A00R 303DD2 2506 0143RA01 5,000,000 C003 5,000,000

EPA IAG Identification No. DW-96-94018901 - k **EPA IAG Identification Number** Part II - Approved Budget DW-96-94018901 - k Itemization of Itemization of This In-Kind Itemization of Itemization of Total 31. Budget Categories All Previous Actions Action **Project Cost to Date** This Action (a) Personnel \$17,673,830 \$17,673,830 (b) Fringe Benefits \$261,517 \$261,517 \$12,525 (c) Travel \$12,525 (d) Equipment \$0 \$0 (e) Supplies \$0 (f) Procurement / Assistance \$177,729,313 \$5,000,000 \$182,729,313 (g) Construction \$0 (h) Other \$841,871 \$841,871 (i) Total Direct Charges \$5,000,000 \$196,519,056 \$0 \$201,519,056 (j) Indirect Costs: \$510,660 \$510,660 Charged - Amount Rate: % Base: \$ Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$ (k) Total \$202,029,716 \$197,029,716 \$5,000,000 \$0 (EPA Share 100.00 %) (Other Agency Share 0.00 %) 32. How was the IDC Base calculated? 33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? 🗌 Yes 🗵 No (Identify all equipment costing \$1,000 or more)N/A ⊠ Yes□ No 34. Are any of these funds being used on extramural agreements? Type of Extramural Agreement Contract Contractor/Recipient Name (if Total Extramural Amount Under This Project Percent Funded by EPA (if known) known) 100 Unknown 182729313 Total \$ 182,729,313.00 Part III - Funding Methods and Billing Instructions (Note: EPA Agency Location Code (ALC) - 68010727) Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Disbursement Agreement Office, Cincinnati, OH 45268-7002: Repayment Monthly Upon Completion of Work Quarterly Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this Advance type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval Allocation Transfer-Out by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. Repayment 36. Reimbursement Agreement Allocation Transfer-In Other Agency's Billing Address (include ALC or Station Symbol Number) Other Agency's Billing Instructions and Frequency

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete

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## Part IV - Acceptance Conditions

**EPA Identification Number** 

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37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.

### Part V - Offer and Acceptance

Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially after the agreement/amendment, shall void the agreement/amendment.

B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.

EPA IA Administration Office (for administrative assistance)	EPA Program Office (for technical assistance) 39. Organization/Address			
38. Organization/Address				
U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101	US Environmental Protection Agency R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912			
Award Official on Behalf of	the Environment Protection Agency			
40. Digital signature applied by EPA Award Official   FOR Armina K. Nolan - Manager - Grants and Interagency Agreements Unit Peter Murchie - AO delegate				
Authorizing Official	on Behalf of the Other Agency	<del>!</del>		
41. Signature  CONE.SCOTT.E.12285   Digitally signed by ACONE SCOTT.E.1228574593    Digitally signed by ACONE SCOTT.E.1228574593    Digitally signed by ACONE SCOTT.E.1228574593    Digitally signed by ACONE SCOTT.E.1228574593    Onto 2012.06.1141413-37-004.    SCOTT. ACONE , CONT. ACONE , CONT. ACONE SCOTT.E.1228574593    Onto 2012.06.1141413-37-004.	Chief, Mil & Env Proj Mgt Br	Date 06/14/2012		

EPA Form 1610-1 (Rev. 11-09) Previous editions are obsolete

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## IA Terms and Conditions

### USACE Special Terms and Conditions - updated March 2012

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

### 1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

### a. Direct Costs

- Payroll timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel travel authorizations (including purpose of trip), local travel vouchers, traveler's
  reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills,
  appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by
  providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of
  Payment" or equivalent.
- Contractor Services copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

### b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

### 2. Reporting Requirements

a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site

activities.

b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.
- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which
  includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountering during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".
- c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <a href="http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf">http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf</a>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager. If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.
- d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

## 3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation to provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

### 4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

### 5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

### 6. Audits

- a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.
- b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

## 7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

### 8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

### 9. Other EPA involvement

- a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- b. If the Direct Fund Cite Method does <u>not</u> apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).
- c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

## 10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

## 11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

### 12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: <a href="https://www.fpds.gov/fpdsng">https://www.fpds.gov/fpdsng</a> cms/.

### 13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentially. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA

review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.

- i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.
- j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

### 14. Resolution of Disagreements

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto; that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, disputes will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, Part 2, Chapter 4700, Appendix 10, available at http://www.fms.treas.gov/tfm/index.html.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing the IA for resolution.

### 15. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at: <a href="http://www.epa.gov/fedfac/documents/qualityassurance.htm">http://www.epa.gov/fedfac/documents/qualityassurance.htm</a> and with QMP guidelines found under

"Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP

Manual" and also at Part 2A, Part 2A(e), and Part 2B.

### 16. Sufficient Progress

EPA expressly reserves the right to terminate the IA for failure to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the Statement of Work, the time remaining for performance, and/or the availability of funds necessary to complete performance. In exercising this right to terminate, EPA will follow the procedures for terminating the IA in Terms and Conditions.

# 17. Restrictions on FY12 Funding for Corporations with Unpaid Federal Tax Liabilities and Felony Convictions

This IA obligates and transfers or advances EPA funds appropriated under the Department of Interior, Environment, and Related Agencies Appropriations Act, (FY12 Appropriations Act). As a result, this interagency agreement (IA) is subject to the provisions of Division E, Sections 433 and 434 of the Appropriations Act, regarding federal felony convictions and unpaid federal tax liabilities. Specifically,

### Section 433 provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

## Section 434 of Division E of the Appropriations Act further provides:

None of the funds made available by this Act [FY12 Appropriations Act] may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with respect to which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Accordingly, by accepting the award of this IA, the USACE agrees that it will comply with and implement the prohibitions of Sections 433 and 434 for any contract, assistance agreement, loan, loan guarantee or other instrument with any corporation that will be funded with funds provided under this IA.

Non-compliance with the provisions of Sections 433 and 434 may implicate the Antideficiency Act.

USACE will forward to the EPA Award Official, within 45 days, any determination and documentation supporting an award where suspension and debarment are considered by the awarding agency

END OF DOCUMENT